

**Calendar No. 172**

103D CONGRESS  
1ST SESSION

**H. R. 2010**

**AN ACT**

To amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes.

AUGUST 2 (legislative day, JUNE 30), 1993

Received; read twice and placed on the calendar

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To amend the National and Community Service Act of 1990 to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “National Service Trust Act of 1993”.

6       (b) TABLE OF CONTENTS.—The table of contents is  
7       as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Findings and purpose.

TITLE I—PROGRAMS AND RELATED PROVISIONS

Subtitle A—Programs

- Sec. 101. Federal investment in support of national service.
- Sec. 102. National Service Trust and provision of national service educational awards.
- Sec. 103. School-based and community-based service-learning programs.
- Sec. 104. Quality and innovation activities.
- Sec. 105. Public Lands Corps.
- Sec. 106. Urban Youth Corps.

Subtitle B—Related Provisions

- Sec. 111. Definitions.
- Sec. 112. Authority to make State grants.
- Sec. 113. Family and medical leave.
- Sec. 114. Reports.
- Sec. 115. Nondiscrimination.
- Sec. 116. Notice, hearing, and grievance procedures.
- Sec. 117. Nondisplacement.
- Sec. 118. Evaluation.
- Sec. 119. Engagement of participants.
- Sec. 120. Contingent extension.
- Sec. 121. Repeals.

TITLE II—ORGANIZATION

- Sec. 201. State Commissions on National Service.
- Sec. 202. Interim authorities of the Corporation for National Service and ACTION Agency.
- Sec. 203. Final authorities of the Corporation for National Service.
- Sec. 204. Actions under the national service laws to be subject to the availability of appropriations.

TITLE III—REAUTHORIZATION

Subtitle A—National and Community Service Act of 1990

- Sec. 301. Authorization of appropriations.

Subtitle B—Domestic Volunteer Service Act of 1973

- Sec. 311. Short title; references.

CHAPTER 1—VISTA AND OTHER ANTI-POVERTY PROGRAMS

- Sec. 321. Purpose of the VISTA program.
- Sec. 321A. Assistant Director for VISTA Program.
- Sec. 322. Selection and assignment of VISTA volunteers.
- Sec. 323. Terms and periods of service.
- Sec. 324. Support for VISTA volunteers.
- Sec. 325. Participation of younger and older persons.
- Sec. 326. Literacy activities.
- Sec. 327. Applications for assistance.
- Sec. 328. Repeal of authority for student community service programs.
- Sec. 329. University year for VISTA.
- Sec. 330. Authority to establish and operate special volunteer and demonstration programs.
- Sec. 331. Technical and financial assistance.

Sec. 332. Elimination of separate authority for drug abuse programs.

#### CHAPTER 2—NATIONAL SENIOR VOLUNTEER CORPS

- Sec. 341. National Senior Volunteer Corps.
- Sec. 342. The Retired and Senior Volunteer Program.
- Sec. 343. Operation of the Retired and Senior Volunteer Program.
- Sec. 344. Services under the Foster Grandparent Program.
- Sec. 345. Stipends for low-income volunteers.
- Sec. 346. Conditions of grants and contracts.
- Sec. 347. Agreements with other Federal agencies.
- Sec. 348. Minority group participation.
- Sec. 349. Programs of national significance.
- Sec. 350. Demonstration programs.

#### CHAPTER 3—ADMINISTRATION

- Sec. 361. Purpose of agency.
- Sec. 362. Authority of the Director.
- Sec. 362A. Political activities.
- Sec. 363. Compensation for volunteers.
- Sec. 364. Repeal of report.
- Sec. 365. Application of Federal law.
- Sec. 366. Nondiscrimination provisions.
- Sec. 367. Elimination of separate requirements for setting regulations.
- Sec. 368. Clarification of role of Inspector General.
- Sec. 369. Copyright protection.
- Sec. 370. Deposit requirement credit for service as a volunteer.

#### CHAPTER 4—AUTHORIZATION OF APPROPRIATIONS AND OTHER AMENDMENTS

- Sec. 381. Authorization of appropriations for title I.
- Sec. 382. Authorization of appropriations for title II.
- Sec. 383. Authorization of appropriations for title IV.
- Sec. 384. Conforming amendments; compensation for VISTA FECA claimants.
- Sec. 385. Repeal of authority.

#### CHAPTER 5—GENERAL PROVISIONS

- Sec. 391. Technical and conforming amendments.
- Sec. 392. Effective date.

#### TITLE IV—TECHNICAL AND CONFORMING AMENDMENTS

- Sec. 401. Definition of Director.
- Sec. 402. References to ACTION and the ACTION Agency.
- Sec. 403. Definitions.
- Sec. 404. References to the Commission on National and Community Service.
- Sec. 405. References to Directors of the Commission on National and Community Service.
- Sec. 406. Effective date.

#### TITLE V—GENERAL PROVISIONS

- Sec. 501. Compliance with Buy American Act.
- Sec. 502. Sense of Congress; requirement regarding notice.

Sec. 503. Prohibition of contracts with persons falsely labeling products as Made in America.

#### TITLE VI—LIMITATION ON LIABILITY OF VOLUNTEERS

Sec. 601. Findings and purpose.

Sec. 602. No preemption of State tort law.

Sec. 603. Limitation on liability for volunteers.

Sec. 604. Definitions.

### 1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) IN GENERAL.—Section 2 of the National and  
3 Community Service Act of 1990 (42 U.S.C. 12501) is  
4 amended to read as follows:

### 5 **“SEC. 2. FINDINGS AND PURPOSE.**

6 “(a) FINDINGS.—The Congress finds the following:

7 “(1) Throughout the United States, there are  
8 pressing unmet human, educational, environmental,  
9 and public safety needs.

10 “(2) Americans desire to affirm common re-  
11 sponsibilities and shared values that transcend race,  
12 religion, disability, or region.

13 “(3) The rising costs of post-secondary edu-  
14 cation are putting higher education out of reach for  
15 an increasing number of citizens.

16 “(4) Americans of all ages can improve their  
17 communities and become better citizens through  
18 service to the United States.

19 “(5) Nonprofit organizations, local govern-  
20 ments, States, and the Federal Government are al-  
21 ready supporting a wide variety of national service

1 programs that deliver needed services in a cost-effective manner.  
2

3 “(6) Residents of low-income communities, especially youths and young adults in these communities, can be empowered through their service to  
4 help provide future community leadership.  
5

6 “(b) PURPOSES.—It is the purpose of this Act to—  
7

8 “(1) meet the unmet human, educational, environmental, and public safety needs of the United  
9 States, without displacing existing workers;  
10

11 “(2) renew the ethic of civic responsibility and the spirit of community throughout the United  
12 States;  
13

14 “(3) expand educational opportunity by rewarding individuals who participate in national service  
15 with an increased ability to pursue higher education  
16 or job training;  
17

18 “(4) encourage citizens of the United States, regardless of age, income, or disability, to engage in  
19 full-time or part-time national service;  
20

21 “(5) reinvent government to eliminate duplication, support locally established initiatives, require  
22 measurable goals for performance, and offer flexibility in meeting those goals;  
23  
24

1 “(6) expand and strengthen existing service  
 2 programs with demonstrated experience in providing  
 3 structured service opportunities with visible benefits  
 4 to the participants and community;

5 “(7) build on the existing organizational service  
 6 infrastructure of Federal, State, and local programs  
 7 and agencies to expand full-time and part-time serv-  
 8 ice opportunities for all citizens; and

9 “(8) provide tangible benefits to the commu-  
 10 nities in which national service is performed.”.

11 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 12 tional and Community Service Act of 1990 (Public Law  
 13 101–610; 104 Stat. 3127) is amended by striking the item  
 14 relating to section 2 and inserting the following new item:

“Sec. 2. Findings and purpose.”.

15 **TITLE I—PROGRAMS AND**  
 16 **RELATED PROVISIONS**  
 17 **Subtitle A—Programs**

18 **SEC. 101. FEDERAL INVESTMENT IN SUPPORT OF NA-**  
 19 **TIONAL SERVICE.**

20 (a) TRANSFER OF EXISTING SUBTITLE.—Title I of  
 21 the National and Community Service Act of 1990 (42  
 22 U.S.C. 12501 et seq.) is amended—

23 (1) by redesignating subtitle C (42 U.S.C.  
 24 12653 et seq.) as subtitle I;

1           (2) by inserting subtitle I (as redesignated by  
2       paragraph (1) of this subsection) after subtitle H;  
3       and

4           (3) by redesignating sections 120 through 136  
5       as sections 199 through 199O, respectively.

6       (b) ASSISTANCE PROGRAM AUTHORIZED.—Title I of  
7       the National and Community Service Act of 1990 (42  
8       U.S.C. 12501 et seq.) is amended by inserting after sub-  
9       title B the following new subtitle:

10    **“Subtitle C—National Service Trust**  
11                                   **Program**

12    **“PART I—INVESTMENT IN NATIONAL SERVICE**

13    **“SEC. 121. AUTHORITY TO PROVIDE ASSISTANCE AND AP-**  
14                                   **PROVED NATIONAL SERVICE POSITIONS.**

15       “(a) PROVISION OF ASSISTANCE.—The Corporation  
16       for National Service may make grants to States, subdivi-  
17       sions of States, Indian tribes, public and private nonprofit  
18       organizations, and institutions of higher education for the  
19       purpose of assisting the recipients of the grants—

20           “(1) to carry out full- or part-time national  
21       service programs, including summer programs, de-  
22       scribed in section 122(a); and

23           “(2) to make grants in support of other na-  
24       tional service programs described in section 122(a)  
25       that are carried out by other entities.



1       “(b) AGREEMENTS WITH FEDERAL AGENCIES.—The  
2 Corporation may enter into a contract or cooperative  
3 agreement with another Federal agency to support a na-  
4 tional service program carried out by the agency. The sup-  
5 port provided by the Corporation pursuant to the contract  
6 or cooperative agreement may include the transfer to the  
7 Federal agency of funds available to the Corporation  
8 under this subtitle. A Federal agency receiving assistance  
9 under this subsection shall not be required to satisfy the  
10 matching funds requirements specified in subsection (e).  
11 However, the supplementation requirements specified in  
12 section 173 shall apply with respect to the Federal na-  
13 tional service programs supported with such assistance. A  
14 Federal agency receiving assistance under this subsection  
15 shall consult with the State Commissions for those States  
16 in which projects will be conducted in order to ensure that  
17 the projects do not duplicate existing State or local pro-  
18 grams.

19       “(c) PROVISION OF APPROVED NATIONAL SERVICE  
20 POSITIONS.—As part of the provision of assistance under  
21 subsections (a) and (b), the Corporation shall—

22               “(1) approve the provision of national service  
23 educational awards described in subtitle D for the  
24 participants who serve in national service programs  
25 carried out using such assistance; and

1           “(2) deposit in the National Service Trust es-  
2           tablished in section 145(a) an amount equal to the  
3           product of—

4                   “(A) the value of a national service edu-  
5                   cational award under section 147; and

6                   “(B) the total number of approved national  
7                   service positions to be provided.

8           “(d) FIVE PERCENT LIMITATION ON ADMINISTRA-  
9           TIVE COSTS.—

10                   “(1) LIMITATION.—Not more than 5 percent of  
11           the amount of assistance provided to the original re-  
12           cipient of a grant or transfer of assistance under  
13           subsection (a) or (b) for a fiscal year may be used  
14           to pay for administrative costs incurred by—

15                   “(A) the recipient of the assistance; and

16                   “(B) national service programs carried out  
17                   or supported with the assistance.

18           “(2) RULES ON USE.—The Corporation may by  
19           rule prescribe the manner and extent to which—

20                   “(A) assistance provided under subsection  
21                   (a) or (b) may be used to cover administrative  
22                   costs; and

23                   “(B) that portion of the assistance avail-  
24                   able to cover administrative costs should be dis-  
25                   tributed between—

1 “(i) the original recipient of the grant  
2 or transfer of assistance under such sub-  
3 section; and

4 “(ii) national service programs carried  
5 out or supported with the assistance.

6 “(e) MATCHING FUNDS REQUIREMENTS.—

7 “(1) REQUIREMENTS.—Except as provided in  
8 section 140, the Federal share of the cost of carry-  
9 ing out a national service program that receives the  
10 assistance under subsection (a), whether the assist-  
11 ance is provided directly or as a subgrant from the  
12 original recipient of the assistance, may not exceed  
13 75 percent of such cost.

14 “(2) CALCULATION.—In providing for the re-  
15 maining share of the cost of carrying out a national  
16 service program, the program—

17 “(A) shall provide for such share through  
18 a payment in cash (including not more than 85  
19 percent of the cost of providing a health care  
20 policy described in section 140(d)(2)) or in  
21 kind, fairly evaluated, including facilities, equip-  
22 ment, or services; and

23 “(B) may provide for such share through  
24 State sources, local sources, or other Federal

1 sources (other than the use of funds made  
2 available under the national service laws).

3 “(3) WAIVER.—The Corporation may waive in  
4 whole or in part the requirements of paragraph (1)  
5 with respect to a national service program in any fis-  
6 cal year if the Corporation determines that such a  
7 waiver would be equitable due to a lack of available  
8 financial resources at the local level.

9 **“SEC. 122. TYPES OF NATIONAL SERVICE PROGRAMS ELIGI-**  
10 **BLE FOR PROGRAM ASSISTANCE.**

11 “(a) ELIGIBLE NATIONAL SERVICE PROGRAMS.—  
12 The recipient of a grant under section 121(a) and each  
13 Federal agency receiving assistance under section 121(b)  
14 shall use the assistance, directly or through subgrants to  
15 other entities, to carry out full- or part-time national serv-  
16 ice programs, including summer programs, that address  
17 unmet human, educational, environmental, or public safe-  
18 ty needs. Subject to subsection (b)(1), these national serv-  
19 ice programs may include the following types of national  
20 service programs:

21 “(1) A community corps program that meets  
22 unmet human, educational, environmental, or public  
23 safety needs and promotes greater community unity  
24 through the use of organized teams of participants  
25 of varied social and economic backgrounds, skill lev-

1       els, physical and developmental capabilities, ages,  
2       ethnic backgrounds, or genders.

3           “(2) A full-time, year-round youth corps pro-  
4       gram or full-time summer youth corps program,  
5       such as a conservation corps or youth service corps  
6       (including the Public Lands Corps established under  
7       the Public Lands Corps Act of 1993, the Urban  
8       Youth Corps established under section 106 of the  
9       National Service Trust Act of 1993, and other con-  
10      servation corps or youth service corps that performs  
11      service on Federal or other public lands or on Indian  
12      lands or Hawaiian home lands), that—

13           “(A) undertakes meaningful service  
14      projects with visible public benefits, including  
15      natural resource, urban renovation, or human  
16      services projects;

17           “(B) includes as participants youths and  
18      young adults between the ages of 16 and 25, in-  
19      clusive, including out-of-school youths and other  
20      disadvantaged youths (such as youths with lim-  
21      ited basic skills, youths in foster care who are  
22      becoming too old for foster care, youths of lim-  
23      ited English proficiency, and homeless youths,  
24      and youths with disabilities) who are between  
25      those ages; and

1           “(C) provides those participants who are  
2 youths and young adults with—

3           “(i) crew-based, highly structured,  
4 and adult-supervised work experience, life  
5 skills, education, career guidance and  
6 counseling, employment training, and sup-  
7 port services; and

8           “(ii) the opportunity to develop citi-  
9 zenship values and skills through service to  
10 their community and the United States.

11           “(3) A program that provides specialized train-  
12 ing to individuals in service-learning and places the  
13 individuals after such training in positions, including  
14 positions as service-learning coordinators, to facili-  
15 tate service-learning in programs eligible for funding  
16 under part I subtitle B.

17           “(4) A service program that is targeted at spe-  
18 cific unmet human, educational, environmental, or  
19 public safety needs and that—

20           “(A) recruits individuals with special skills  
21 or provides specialized preservice training to en-  
22 able participants to be placed individually or in  
23 teams in positions in which the participants can  
24 meet such unmet needs; and

1           “(B) if consistent with the purposes of the  
2           program, brings participants together for addi-  
3           tional training and other activities designed to  
4           foster civic responsibility, increase the skills of  
5           participants, and improve the quality of the  
6           service provided.

7           “(5) An individualized placement program that  
8           includes regular group activities, such as leadership  
9           training and special service projects.

10          “(6) A campus-based program that is designed  
11          to provide substantial service in a community during  
12          the school term and during summer or other vaca-  
13          tion periods through the use of—

14               “(A) students who are attending an insti-  
15               tution of higher education, including students  
16               supported by work-study funds under part C of  
17               title IV of the Higher Education Act of 1965  
18               (42 U.S.C. 2751 et seq.);

19               “(B) teams composed of such students; or

20               “(C) teams composed of a combination of  
21               such students and community residents.

22          “(7) A preprofessional training program in  
23          which students enrolled in an institution of higher  
24          education—

1           “(A) receive training in specified fields,  
2           which may include classes containing service-  
3           learning;

4           “(B) perform service related to such train-  
5           ing outside the classroom during the school  
6           term and during summer or other vacation peri-  
7           ods; and

8           “(C) agree to provide service upon gradua-  
9           tion to meet unmet human, educational, envi-  
10          ronmental, or public safety needs related to  
11          such training.

12          “(8) A professional corps program that recruits,  
13          trains, and places qualified participants in posi-  
14          tions—

15               “(A) as teachers, nurses, police officers,  
16               early childhood development staff, or other pro-  
17               fessionals providing service to meet educational,  
18               human, environmental, or public safety needs in  
19               communities with an inadequate number of  
20               such professionals;

21               “(B) that may include a salary in excess of  
22               the maximum living allowance authorized in  
23               subsection (a)(3) of section 140, as provided in  
24               subsection (c) of such section; and



1           “(C) that are sponsored by public or pri-  
2           vate nonprofit employers who agree to pay 100  
3           percent of the salaries and benefits (other than  
4           any national service educational award under  
5           subtitle D) of the participants.

6           “(9) A program in which economically dis-  
7           advantaged individuals (including individuals with  
8           disabilities) who are between the ages of 16 and 25  
9           years of age, inclusive, are provided with opportuni-  
10          ties to perform service that, while enabling such in-  
11          dividuals to obtain the education and employment  
12          skills necessary to achieve economic self-sufficiency,  
13          will help their communities meet—

14                 “(A) the housing needs of low-income fam-  
15                 ilies and the homeless; and

16                 “(B) the need for community facilities in  
17                 low-income areas.

18           “(10) A national service entrepreneur program  
19           that identifies, recruits, and trains gifted young  
20           adults of all backgrounds and assists them in de-  
21           signing solutions to community problems.

22           “(11) An intergenerational program that com-  
23           bines students, out-of-school youths, and older  
24           adults as participants to provide needed community  
25           services, including an intergenerational component

1 for other national service programs described in this  
2 subsection.

3 “(12) A program that is administered by a  
4 combination of nonprofit organizations located in a  
5 low-income area, provides a broad range of services  
6 to residents of such area, is governed by a board  
7 composed in significant part of low-income individ-  
8 uals, and is intended to provide opportunities for in-  
9 dividuals or teams of individuals to engage in com-  
10 munity projects in such area that meet unaddressed  
11 community and individual needs, including projects  
12 that would—

13 “(A) meet the needs of low-income children  
14 and youth aged 18 and younger, such as pro-  
15 viding after-school ‘safe-places’ with opportuni-  
16 ties for learning and recreation; or

17 “(B) be directed to other important  
18 unaddressed needs in such area.

19 “(13) A community service program designed to  
20 meet the needs of rural communities, using teams or  
21 individual placements to address the development  
22 needs of rural communities and to combat rural pov-  
23 erty, including health care, education, and job train-  
24 ing.

1           “(14) A program that seeks to eliminate hunger  
2       in communities and rural areas through service in  
3       projects—

4           “(A) involving food banks, food pantries,  
5       and nonprofit organizations that provide food  
6       during emergencies;

7           “(B) involving the gleaning of prepared  
8       and unprepared food that would otherwise be  
9       discarded as unusable so that the usable por-  
10      tion of such food may be donated to food banks,  
11      food pantries, and other nonprofit organiza-  
12      tions;

13          “(C) seeking to address the long-term  
14      causes of hunger through education and the de-  
15      livery of appropriate services; or

16          “(D) providing training in basic health,  
17      nutrition, and life skills necessary to alleviate  
18      hunger in communities and rural areas.

19          “(15) Such other national service programs ad-  
20      dressing unmet human, educational, environmental,  
21      or public safety needs as the Corporation may des-  
22      ignate.

23          “(b) QUALIFICATION CRITERIA TO DETERMINE ELI-  
24      GIBILITY.—

1           “(1) ESTABLISHMENT BY CORPORATION.—The  
2       Corporation shall establish qualification criteria for  
3       different types of national service programs for the  
4       purpose of determining whether a particular national  
5       service program should be considered to be a na-  
6       tional service program eligible to receive assistance  
7       or approved national service positions under this  
8       subtitle.

9           “(2) CONSULTATION.—In establishing qualifica-  
10      tion criteria under paragraph (1), the Corporation  
11      shall consult with organizations and individuals with  
12      extensive experience in developing and administering  
13      effective national service programs or regarding the  
14      delivery of human, educational, environmental, or  
15      public safety services to communities or persons.

16          “(3) APPLICATION TO SUBGRANTS.—The quali-  
17      fication criteria established by the Corporation under  
18      paragraph (1) shall also be used by each recipient of  
19      assistance under section 121(a) that uses any por-  
20      tion of the assistance to conduct a grant program to  
21      support other national service programs.

22          “(4) ENCOURAGEMENT OF INTERGEN-  
23      ERATIONAL COMPONENTS OF PROGRAMS.—The Cor-  
24      poration shall encourage national service programs  
25      eligible to receive assistance or approved national

1 service positions under this subtitle to establish, if  
2 consistent with the purposes of the program, an  
3 intergenerational component of the program that  
4 combines students, out-of-school youths, and older  
5 adults as participants to provide services to address  
6 unmet human, educational, environmental, or public  
7 safety needs.

8 “(c) NATIONAL SERVICE PRIORITIES.—

9 “(1) ESTABLISHMENT BY CORPORATION.—In  
10 order to concentrate national efforts on meeting cer-  
11 tain unmet human, educational, environmental, or  
12 public safety needs and to achieve the other pur-  
13 poses of this Act, the Corporation may establish,  
14 and periodically alter, priorities regarding the types  
15 of national service programs to be assisted under  
16 section 121 and the purposes for which such assist-  
17 ance may be used.

18 “(2) NOTICE TO APPLICANTS.—The Corpora-  
19 tion shall provide advance notice to potential appli-  
20 cants of any national service priorities to be in effect  
21 under this subsection for a fiscal year. The notice  
22 shall specifically include—

23 “(A) a description of any alteration made  
24 in the priorities since the previous notice; and

1           “(B) a description of the national service  
2           programs that are designated by the Corpora-  
3           tion under section 133(d)(2) as eligible for pri-  
4           ority consideration in the next competitive dis-  
5           tribution of assistance under section 121(a).

6           “(3) APPLICATION TO SUBGRANTS.—Any na-  
7           tional service priorities established by the Corpora-  
8           tion under this subsection shall also be used by each  
9           recipient of funds under section 121(a) that uses  
10          any portion of the assistance to conduct a grant pro-  
11          gram to support other national service programs.

12   **“SEC. 123. TYPES OF NATIONAL SERVICE POSITIONS ELIGI-**  
13                   **BLE FOR APPROVAL FOR NATIONAL SERVICE**  
14                   **EDUCATIONAL AWARDS.**

15          “The Corporation may approve of any of the follow-  
16          ing service positions as an approved national service posi-  
17          tion that includes the national service educational award  
18          described in subtitle D as one of the benefits to be pro-  
19          vided for successful service in the position:

20               “(1) A position for a participant in a national  
21          service program described in section 122(a) that re-  
22          ceives assistance under subsection (a) or (b) of sec-  
23          tion 121.

24               “(2) A position for a participant in a program  
25          that—

1           “(A) is carried out by a State, a subdivi-  
2           sion of a State, an Indian tribe, a public or pri-  
3           vate nonprofit organization, an institution of  
4           higher education, or a Federal agency; and

5           “(B) would be eligible to receive assistance  
6           under section 121(a), based on criteria estab-  
7           lished by the Corporation, but has not applied  
8           for such assistance.

9           “(3) A position involving service as a VISTA  
10          volunteer under title I of the Domestic Volunteer  
11          Service Act of 1973 (42 U.S.C. 4951 et seq.).

12          “(4) A position facilitating service-learning in a  
13          program described in section 122(a)(3) that is eligi-  
14          ble for assistance under part I of subtitle B.

15          “(5) A position for a participant in the Civilian  
16          Community Corps under subtitle E.

17          “(6) A position involving service as a crew lead-  
18          er in a youth corps program or a similar position  
19          supporting a national service program that receives  
20          an approved national service position.

21          “(7) Such other national service positions as  
22          the Corporation considers to be appropriate.

23   **“SEC. 124. TYPES OF PROGRAM ASSISTANCE.**

24          “(a) PLANNING ASSISTANCE.—The Corporation may  
25          provide assistance under section 121 to a qualified appli-

1 cant that submits an application under section 130 for the  
2 planning of a national service program. Assistance pro-  
3 vided in accordance with this subsection may cover a pe-  
4 riod of not more than 1 year.

5 “(b) OPERATIONAL ASSISTANCE.—The Corporation  
6 may provide assistance under section 121 to a qualified  
7 applicant that submits an application under section 130  
8 for the establishment, operation, or expansion of a na-  
9 tional service program. Assistance provided in accordance  
10 with this subsection may cover a period of not more than  
11 3 years, but may be renewed by the Corporation upon con-  
12 sideration of a new application under section 130.

13 “(c) REPLICATION ASSISTANCE.—The Corporation  
14 may provide assistance under section 121 to a qualified  
15 applicant that submits an application under section 130  
16 for the expansion of a proven national service program to  
17 another geographical location. Assistance provided in ac-  
18 cordance with this subsection may cover a period of not  
19 more than 3 years, but may be renewed by the Corpora-  
20 tion upon consideration of a new application under section  
21 130.

22 “(d) APPLICATION TO SUBGRANTS.—The require-  
23 ments of this section shall apply to any State or other  
24 applicant receiving assistance under section 121 that pro-



1 poses to conduct a grant program using the assistance to  
2 support other national service programs.

3 **“SEC. 125. TRAINING AND TECHNICAL ASSISTANCE.**

4 “(a) TRAINING PROGRAMS.—The Corporation may  
5 conduct, directly or by grant or contract, appropriate  
6 training programs regarding national service in order to—

7 “(1) improve the ability of national service pro-  
8 grams assisted under section 121 to meet human,  
9 educational, environmental, or public safety needs in  
10 communities—

11 “(A) where services are needed most; and

12 “(B) where programs do not currently  
13 exist or are currently too limited to meet com-  
14 munity needs;

15 “(2) promote leadership development in such  
16 programs;

17 “(3) improve the instructional and pro-  
18 grammatic quality of such programs to build an  
19 ethic of civic responsibility;

20 “(4) develop the management and budgetary  
21 skills of program operators;

22 “(5) provide for or improve the training pro-  
23 vided to the participants in such programs; and

24 “(6) encourage national service programs to ad-  
25 here to risk management procedures, including the

1 training of participants in appropriate risk manage-  
2 ment practices.

3 “(b) TECHNICAL ASSISTANCE.—The Corporation  
4 shall make appropriate technical assistance available to  
5 States, subdivisions of States, Federal agencies, Indian  
6 tribes, public and private nonprofit organizations, and in-  
7 stitutions of higher education that desire—

8 “(1) to develop national service programs; or

9 “(2) to apply for assistance under such section  
10 or under a grant program conducted using assist-  
11 ance provided under such section.

12 **“SEC. 126. OTHER SPECIAL ASSISTANCE.**

13 “(a) SUPPORT FOR STATE COMMISSIONS.—

14 “(1) ASSISTANCE AUTHORIZED.—Of the funds  
15 appropriated to carry out this subtitle in each fiscal  
16 year, not to exceed \$17,500,000 shall be available to  
17 the Corporation to make assistance available to as-  
18 sist a State to establish or operate the State Com-  
19 mission on National Service required to be estab-  
20 lished by the State under section 178.

21 “(2) AMOUNT OF ASSISTANCE.—Except as pro-  
22 vided in paragraph (3), the amount of assistance  
23 that may be provided to a State Commission under  
24 this subsection, together with other Federal funds

1 available to establish or operate the State Commis-  
2 sion, may not exceed—

3 “(A) 85 percent of the total cost to estab-  
4 lish or operate the State Commission for the  
5 first year for which the State Commission re-  
6 ceives assistance under this subsection; and

7 “(B) such smaller percentage of such cost  
8 as the Corporation may establish for the sec-  
9 ond, third, and fourth years of such assistance  
10 in order to ensure that the Federal share does  
11 not exceed 50 percent of such costs for the fifth  
12 year, and any subsequent year, for which the  
13 State Commission receives assistance under this  
14 subsection.

15 “(3) MAXIMUM AMOUNT OF ASSISTANCE.—The  
16 total amount of assistance that may be provided to  
17 a State Commission under this subsection for a year  
18 may not exceed \$500,000.

19 “(b) DISASTER SERVICE.—The Corporation may un-  
20 dertake activities to involve youth corps programs de-  
21 scribed in section 122(a)(2) and other programs that re-  
22 ceive assistance under the national service laws in relief  
23 efforts in response to an emergency or major disaster de-  
24 clared by the President under the Robert T. Stafford Dis-

1 aster Relief and Emergency Assistance Act (42 U.S.C.  
2 5121 et seq.).

3 “(c) CHALLENGE GRANTS FOR NATIONAL SERVICE  
4 PROGRAMS.—

5 “(1) ASSISTANCE AUTHORIZED.—The Corpora-  
6 tion may make challenge grants under this sub-  
7 section to a national service program that receives  
8 assistance under section 121. The Corporation shall  
9 develop criteria for the selection of challenge grant  
10 recipients so as to make the grants widely available  
11 to a variety of high-quality national service programs  
12 with demonstrated experience in providing service  
13 opportunities with visible benefits to the participants  
14 and to the community served.

15 “(2) AMOUNT OF ASSISTANCE.—A challenge  
16 grant under this subsection may provide not more  
17 than \$1 of assistance under this subsection for each  
18 \$1 in cash raised by the national service program  
19 from private sources in excess of amounts required  
20 to be provided by the program to satisfy matching  
21 funds requirements under section 121(e). The Cor-  
22 poration shall establish a ceiling on the amount of  
23 assistance that may be provided to a national service  
24 program under this subsection.

1       **“PART II—APPLICATION AND APPROVAL**  
2                               **PROCESS**

3       **“SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NA-**  
4                               **TIONAL SERVICE POSITIONS BY COMPETI-**  
5                               **TIVE AND OTHER MEANS.**

6       “(a) ALLOTMENTS OF ASSISTANCE AND APPROVED  
7 POSITIONS TO STATES AND INDIAN TRIBES.—

8               “(1)  $33\frac{1}{3}$  PERCENT ALLOTMENT OF ASSIST-  
9 ANCE TO CERTAIN STATES.—Of the funds allocated  
10 by the Corporation for provision of assistance under  
11 subsections (a) and (b) of section 121 for a fiscal  
12 year, the Corporation shall make a grant under sec-  
13 tion 121(a) (and a corresponding allotment of ap-  
14 proved national service positions) to each of the sev-  
15 eral States, the District of Columbia, and the Com-  
16 monwealth of Puerto Rico that has an application  
17 approved by the Corporation under section 133. The  
18 amount allotted as a grant to each such State under  
19 this paragraph for a fiscal year shall be equal to the  
20 amount that bears the same ratio to  $33\frac{1}{3}$  percent  
21 of the allocated funds for that fiscal year as the pop-  
22 ulation of the State bears to the total population of  
23 the several States, the District of Columbia, and the  
24 Commonwealth of Puerto Rico.

25               “(2) ONE PERCENT ALLOTMENT FOR CERTAIN  
26 TERRITORIES AND POSSESSIONS.—Of the funds allo-

1 cated by the Corporation for provision of assistance  
2 under subsections (a) and (b) of section 121 for a  
3 fiscal year, the Corporation shall reserve 1 percent  
4 of the allocated funds for grants under section  
5 121(a) to the Virgin Islands of the United States,  
6 Guam, American Samoa, and the Commonwealth of  
7 the Northern Mariana Islands upon approval of an  
8 application by the Corporation under section 133.  
9 Palau shall also be eligible for a grant under this  
10 paragraph from the allotment until such time as the  
11 Compact of Free Association with Palau is ratified.  
12 The amount allotted as a grant to each such terri-  
13 tory or possession under this paragraph for a fiscal  
14 year shall be equal to the amount that bears the  
15 same ratio to 1 percent of the allocated funds for  
16 that fiscal year as the population of the territory or  
17 possession bears to the total population of such ter-  
18 ritories and possessions.

19 “(3) ONE PERCENT ALLOTMENT FOR INDIAN  
20 TRIBES.—Of the funds allocated by the Corporation  
21 for provision of assistance under subsections (a) and  
22 (b) of section 121 for a fiscal year, the Corporation  
23 shall reserve 1 percent of the allocated funds for  
24 grants under section 121(a) to Indian tribes, to be

1 allotted by the Corporation on a competitive basis in  
2 accordance with their respective needs.

3 “(4) EFFECT OF FAILURE TO APPLY.—If a  
4 State or Indian tribe fails to apply for, or fails to  
5 give notice to the Corporation of its intent to apply  
6 for, an allotment under this subsection, the Corpora-  
7 tion shall use the amount that would have been al-  
8 lotted under this subsection to the State or Indian  
9 tribe—

10 “(A) to make grants (and provide ap-  
11 proved national service positions in connection  
12 with such grants) to other eligible entities  
13 under section 121 that propose to carry out na-  
14 tional service programs in the State or on be-  
15 half of the Indian tribe; and

16 “(B) after making grants under subpara-  
17 graph (A), to make a reallocation to other  
18 States and Indian tribes with approved applica-  
19 tions under section 130.

20 “(5) EFFECT OF STATE FAILURE TO LIMIT LI-  
21 ABILITY.—If, not later than 2 years after the effec-  
22 tive date of this subtitle, a State fails to have in ef-  
23 fect (and to certify in its application that the State  
24 has in effect) a limitation on liability that satisfies  
25 the requirements of title V of the National Service

1 Trust Act of 1993, the allotment for such State  
2 shall be reduced by 5 percent, and the Corporation  
3 shall allot the amount of the reduction among the  
4 States that have in effect (and so certify) such limitation.  
5

6 “(b) RESERVATION OF APPROVED POSITIONS.—The  
7 Corporation shall ensure that each individual selected during  
8 a fiscal year for assignment as a VISTA volunteer  
9 under title I of the Domestic Volunteer Service Act of  
10 1973 (42 U.S.C. 4951 et seq.) or as a participant in the  
11 Civilian Community Corps Demonstration Program under  
12 subtitle E shall receive the national service educational  
13 award described in subtitle D if the individual satisfies the  
14 eligibility requirements for the award. Funds for approved  
15 national service positions required by this paragraph for  
16 a fiscal year shall be deducted from the total funding for  
17 approved national service positions to be available for distribution  
18 under subsections (a) and (d) for that fiscal year.

19 “(c) RESERVATION FOR SPECIAL ASSISTANCE.—Of  
20 the funds appropriated under section 501(a)(2), and subject  
21 to the limitation in that section, the Corporation may  
22 reserve such amount as the Corporation considers to be  
23 appropriate for the purpose of making assistance available  
24 under sections 125 and 126. However, the Corporation



1 may not reserve more than \$10,000,000 for a fiscal year  
2 for challenge grants under section 126(c).

3 “(d) COMPETITIVE DISTRIBUTION OF REMAINING  
4 FUNDS AND APPROVED POSITIONS.—

5 “(1) STATE COMPETITION.—Of the funds allo-  
6 cated by the Corporation for provision of assistance  
7 under subsections (a) and (b) of section 121 for a  
8 fiscal year, the Corporation shall use not less than  
9  $33\frac{1}{3}$  percent of the allocated funds to make grants  
10 to States on a competitive basis under section  
11 121(a).

12 “(2) FEDERAL AGENCIES AND OTHER APPLI-  
13 CANTS.—The Corporation shall distribute on a com-  
14 petitive basis to subdivisions of States, Indian tribes,  
15 public and private nonprofit organizations (including  
16 labor organizations), institutions of higher edu-  
17 cation, and Federal agencies the remainder of the  
18 funds allocated by the Corporation for provision of  
19 assistance under section 121 for a fiscal year, after  
20 operation of paragraph (1) and subsections (a) and  
21 (c). However, the Corporation may not provide more  
22 than  $\frac{1}{3}$  of the funds available for competitive dis-  
23 tribution under this paragraph for a fiscal year to  
24 Federal agencies under section 121(b).

1           “(3) LIMITATIONS.—The Corporation may limit  
2       the categories of eligible applicants for assistance  
3       under paragraph (2) consistent with the priorities  
4       established by the Corporation under section  
5       133(d)(2).

6           “(e) APPLICATION REQUIRED.—The allotment of as-  
7       sistance and approved national service positions to a State  
8       or Indian tribe under subsection (a), and the competitive  
9       distribution of assistance and approved national service  
10      positions under subsection (d), shall be made by the Cor-  
11      poration only pursuant to an application submitted by a  
12      State or other applicant under section 130 and approved  
13      by the Corporation under section 133.

14          “(f) DISTRIBUTION OF APPROVED POSITIONS SUB-  
15      JECT TO AVAILABLE FUNDS.—The Corporation may not  
16      distribute approved national service positions under this  
17      section for a fiscal year in excess of the number of such  
18      positions for which the Corporation has sufficient available  
19      funds in the National Service Trust for that fiscal year  
20      to satisfy the maximum possible obligations to be incurred  
21      by the United States to provide the national service edu-  
22      cational award corresponding to service in these positions.

23          “(g) SPONSORSHIP OF APPROVED NATIONAL SERV-  
24      ICE POSITIONS.—

1           “(1) SPONSORSHIP AUTHORIZED.—The Cor-  
2           poration may enter into agreements with persons or  
3           entities who offer to sponsor national service posi-  
4           tions for which the person or entity will be respon-  
5           sible for supplying the funds necessary to provide a  
6           national service educational award. The distribution  
7           of these approved national service positions shall be  
8           made pursuant to the agreement, and the creation  
9           of these positions shall not be taken into consider-  
10          ation in determining the number of approved na-  
11          tional service positions to be available for distribu-  
12          tion under this section.

13           “(2) DEPOSIT OF CONTRIBUTION.—Funds pro-  
14          vided pursuant to an agreement under paragraph  
15          (1) and any other funds contributed to the Corpora-  
16          tion to support the activities of the Corporation  
17          under the national service laws shall be deposited in  
18          the National Service Trust established in section  
19          145 until such time as the funds are needed.

20   **“SEC. 130. APPLICATION FOR ASSISTANCE AND APPROVED**  
21           **NATIONAL SERVICE POSITIONS.**

22           “(a) TIME, MANNER, AND CONTENT OF APPLICA-  
23          TION.—To be eligible to receive assistance under section  
24          121 and approved national service positions for partici-  
25          pants who serve in the national service programs to be

1 carried out using the assistance, a State, subdivision of  
2 a State, Indian tribe, public or private nonprofit organiza-  
3 tion, institution of higher education, or Federal agency  
4 shall prepare and submit to the Corporation an application  
5 at such time, in such manner, and containing such infor-  
6 mation as the Corporation may reasonably require.

7 “(b) TYPES OF APPLICATION INFORMATION.—In  
8 order to have adequate information upon which to consider  
9 an application under section 133, the Corporation may re-  
10 quire the following information to be provided in an appli-  
11 cation submitted under subsection (a):

12 “(1) A description of the national service pro-  
13 grams proposed to be carried out directly by the ap-  
14 plicant using assistance provided under section 121.

15 “(2) A description of the national service pro-  
16 grams that are selected by the applicant to receive  
17 a grant from assistance requested under section 121  
18 and a description of the process and criteria by  
19 which the programs were selected, unless such a  
20 process conflicts with State or local law, regulation,  
21 or policy.

22 “(3) A description of other funding sources to  
23 be used, or sought to be used, for the national serv-  
24 ice programs referred to in paragraphs (1) and (2),  
25 and, if the application is submitted for the purpose

1 of seeking a renewal of assistance, a description of  
2 the success of the programs in not increasing their  
3 reliance on funds provided under this Act.

4 “(4) A description of the extent to which the  
5 projects to be conducted using the assistance will ad-  
6 dress unmet human, educational, environmental, or  
7 public safety needs and produce a direct benefit for  
8 the community in which the projects are performed.

9 “(5) A description of the plan to be used to re-  
10 cruit participants, including youth with disabilities  
11 and economically disadvantaged youth, for the na-  
12 tional service programs referred to in paragraphs (1)  
13 and (2).

14 “(6) A description of the manner in which the  
15 national service programs referred to in paragraphs  
16 (1) and (2) build on existing programs, including  
17 Federal programs.

18 “(7) A description of the manner in which the  
19 national service programs referred to in paragraphs  
20 (1) and (2) will involve participants—

21 “(A) in projects that build an ethic of civic  
22 responsibility and produce a positive change in  
23 the lives of participants through training and  
24 participation in meaningful service experiences

1           and opportunities for reflection on such experi-  
2           ences; and

3                 “(B) in leadership positions in implement-  
4           ing and evaluating the program.

5                 “(8) Measurable goals for the national service  
6           programs referred to in paragraphs (1) and (2), and  
7           a strategy to achieve such goals, in terms of—

8                 “(A) the impact to be made in meeting  
9           unmet human, educational, environmental, or  
10          public safety needs; and

11                “(B) the service experience to be provided  
12          to participants in the programs.

13                “(9) A description of the manner and extent to  
14          which the national service programs referred to in  
15          paragraphs (1) and (2) conform to the national serv-  
16          ice priorities established by the Corporation under  
17          section 122(c).

18                “(10) A description of the past experience of  
19          the applicant in operating a comparable program or  
20          in conducting a grant program in support of other  
21          comparable service programs.

22                “(11) A description of the type and number of  
23          proposed service positions in which participants will  
24          receive the national service educational award de-  
25          scribed in subtitle D and a description of the man-

1       ner in which approved national service positions will  
2       be apportioned by the applicant.

3           “(12) A description of the manner and extent  
4       to which participants, representatives of the commu-  
5       nity served, community-based agencies with a dem-  
6       onstrated record of experience in providing services,  
7       and labor organizations contributed to the develop-  
8       ment of the national service programs referred to in  
9       paragraphs (1) and (2), including the identity of the  
10      individual representing each appropriate labor orga-  
11      nization (if any) who was consulted and the nature  
12      of the consultation.

13           “(13) Such other information as the Corpora-  
14      tion may reasonably require.

15      “(c) APPLICATION TO RECEIVE ONLY APPROVED  
16      NATIONAL SERVICE POSITIONS.—

17           “(1) APPLICABILITY OF SUBSECTION.—This  
18      subsection shall apply in the case of an application  
19      in which—

20           “(A) the applicant is not seeking assist-  
21      ance under subsection (a) or (b) of section 121,  
22      but requests national service educational  
23      awards for individuals serving in service posi-  
24      tions described in section 123; or

1           “(B) the applicant requests national serv-  
2           ice educational awards for service positions de-  
3           scribed in section 123, but the positions are not  
4           positions in a national service program de-  
5           scribed in section 122(a) for which assistance  
6           may be provided under subsection (a) or (b) of  
7           section 121.

8           “(2) SPECIAL APPLICATION REQUIREMENTS.—  
9           For the applications described in paragraph (1), the  
10          Corporation shall establish special application re-  
11          quirements in order to determine—

12               “(A) whether the service positions meet  
13               unmet human, educational, environmental, or  
14               public safety needs and meet the criteria for as-  
15               sistance under this subtitle; and

16               “(B) whether the Corporation should ap-  
17               prove the positions as approved national service  
18               positions that include the national service edu-  
19               cational award described in subtitle D as one of  
20               the benefits to be provided for successful service  
21               in the position.

22          “(d) SPECIAL RULE FOR STATE APPLICANTS.—

23               “(1) SUBMISSION BY STATE COMMISSION.—The  
24          application of a State for approved national service



1 positions or for a grant under section 121(a) shall  
2 be submitted by the State Commission.

3 “(2) COMPETITIVE SELECTION.—The applica-  
4 tion of a State shall contain an assurance that all  
5 assistance provided under section 121(a) to the  
6 State will be used to support national service pro-  
7 grams that were selected by the State on a competi-  
8 tive basis. In making such competitive selections, the  
9 State shall seek to ensure the equitable allocation  
10 within the State of assistance and approved national  
11 service positions provided under this subtitle to the  
12 State taking into consideration such factors as the  
13 location of the programs applying to the State, pop-  
14 ulation density, and economic distress.

15 “(3) ASSISTANCE TO NONSTATE ENTITIES.—  
16 The application of a State shall also contain an as-  
17 surance that not less than 60 percent of the assist-  
18 ance will be used to make grants in support of na-  
19 tional service programs other than national service  
20 programs carried out by a State agency. The Cor-  
21 poration may permit a State to deviate from the per-  
22 centage specified by this subsection if the State has  
23 not received a sufficient number of acceptable appli-  
24 cations to comply with the percentage.

25 “(e) SPECIAL RULE FOR CERTAIN APPLICANTS.—

1           “(1) WRITTEN CONCURRENCE.—In the case of  
2           a program applicant that proposes to also serve as  
3           the service sponsor, the application shall include the  
4           written concurrence of any local labor organization  
5           representing employees of the service sponsor who  
6           are engaged in the same or substantially similar  
7           work as that proposed to be carried out.

8           “(2) PROGRAM APPLICANT DEFINED.—For pur-  
9           poses of this subsection, the term ‘program appli-  
10          cant’ means—

11                 “(A) a State, subdivision of a State, Indian  
12                 tribe, public or private nonprofit organization,  
13                 institution of higher education, or Federal  
14                 agency submitting an application under this  
15                 section; or

16                 “(B) an entity applying for assistance or  
17                 approved national service positions through a  
18                 grant program conducted using assistance pro-  
19                 vided to a State, subdivision of a State, Indian  
20                 tribe, public or private nonprofit organization,  
21                 institution of higher education, or Federal  
22                 agency under section 121.

23           “(f) LIMITATION ON SAME PROJECT IN MULTIPLE  
24           APPLICATIONS.—The Corporation shall reject an applica-  
25           tion submitted under this section if a project proposed to

1 be conducted using assistance requested by the applicant  
2 is already described in another application pending before  
3 the Corporation.

4 **“SEC. 131. NATIONAL SERVICE PROGRAM ASSISTANCE**  
5 **REQUIREMENTS.**

6 “(a) IMPACT ON COMMUNITIES.—An application sub-  
7 mitted under section 130 shall include an assurance by  
8 the applicant that any national service program carried  
9 out by the applicant using assistance provided under sec-  
10 tion 121 and any national service program supported by  
11 a grant made by the applicant using such assistance will—

12 “(1) address unmet human, educational, envi-  
13 ronmental, or public safety needs through services  
14 that provide a direct benefit to the community in  
15 which the service is performed; and

16 “(2) comply with the nonduplication and  
17 nondisplacement requirements of section 177.

18 “(b) IMPACT ON PARTICIPANTS.—An application  
19 submitted under section 130 shall also include an assur-  
20 ance by the applicant that any national service program  
21 carried out by the applicant using assistance provided  
22 under section 121 and any national service program sup-  
23 ported by a grant made by the applicant using such assist-  
24 ance will—

1           “(1) provide participants in the national service  
2           program with the training, skills, and knowledge  
3           necessary for the projects that participants are  
4           called upon to perform; and

5           “(2) provide support services to participants,  
6           such as the provision of appropriate information and  
7           support—

8                   “(A) to those participants who are com-  
9                   pleting a term of service and making the transi-  
10                  tion to other educational and career opportuni-  
11                  ties; and

12                  “(B) to those participants who are school  
13                  dropouts in order to assist those participants in  
14                  earning the equivalent of a high school diploma.

15           “(c) CONSULTATION.—An application submitted  
16 under section 130 shall also include an assurance by the  
17 applicant that any national service program carried out  
18 by the applicant using assistance provided under section  
19 121 and any national service program supported by a  
20 grant made by the applicant using such assistance will—

21                   “(1) provide in the design, recruitment, and op-  
22                  eration of the program for broad-based input from—

23                           “(A) the community served and potential  
24                          participants in the program; and

1           “(B) community-based agencies with a  
2           demonstrated record of experience in providing  
3           services and local labor organizations represent-  
4           ing employees of service sponsors, if these enti-  
5           ties exist in the area to be served by the pro-  
6           gram;

7           “(2) prior to the placement of participants, con-  
8           sult with any local labor organization representing  
9           employees in the area who are engaged in the same  
10          or similar work as that proposed to be carried out  
11          by such program to ensure compliance with the  
12          nondisplacement requirements specified in section  
13          177; and

14          “(3) in the case of a program that is not fund-  
15          ed through a State, consult with and coordinate ac-  
16          tivities with the State Commission for the State in  
17          which the program operates.

18          “(d) EVALUATION AND PERFORMANCE GOALS.—

19                 “(1) IN GENERAL.—An application submitted  
20          under section 130 shall also include an assurance by  
21          the applicant that the applicant will—

22                         “(A) arrange for an independent evalua-  
23                         tion of any national service program carried out  
24                         using assistance provided to the applicant under  
25                         section 121 or, with the approval of the Cor-

1           poration, conduct an internal evaluation of the  
2           program;

3           “(B) apply measurable performance goals  
4           and evaluation methods (such as the use of sur-  
5           veys of participants and persons served), which  
6           are to be used as part of such evaluation to de-  
7           termine the impact of the program—

8                   “(i) on communities and persons  
9                   served by the projects performed by the  
10                  program;

11                  “(ii) on participants who take part in  
12                  the projects; and

13                  “(iii) in such other areas as the Cor-  
14                  poration may require; and

15           “(C) cooperate with any evaluation activi-  
16           ties undertaken by the Corporation.

17           “(2) EVALUATION.—Subject to paragraph (3),  
18           the Corporation shall develop evaluation criteria and  
19           performance goals applicable to all national service  
20           programs carried out with assistance provided under  
21           section 121.

22           “(3) ALTERNATIVE EVALUATION REQUIRE-  
23           MENTS.—The Corporation may establish alternative  
24           evaluation requirements for national service pro-  
25           grams based upon the amount of assistance received

1 under section 121 or received by a grant made by  
2 a recipient of assistance under such section. The de-  
3 termination of whether a national service program is  
4 covered by this paragraph shall be made in such  
5 manner as the Corporation may prescribe.

6 “(e) LIVING ALLOWANCES AND OTHER INSERVICE  
7 BENEFITS.—Except as provided in section 140(c), an ap-  
8 plication submitted under section 130 shall also include  
9 an assurance by the applicant that the applicant will—

10 “(1) ensure the provision of a living allowance  
11 and other benefits specified in section 140 to partici-  
12 pants in any national service program carried out by  
13 the applicant using assistance provided under section  
14 121; and

15 “(2) require that each national service program  
16 that receives a grant from the applicant using such  
17 assistance will also provide a living allowance and  
18 other benefits specified in section 140 to participants  
19 in the program.

20 “(f) SELECTION OF PARTICIPANTS FROM INDIVID-  
21 UALS RECRUITED BY CORPORATION OR STATE COMMIS-  
22 SIONS.—The Corporation may also require an assurance  
23 by the applicant that any national service program carried  
24 out by the applicant using assistance provided under sec-  
25 tion 121 and any national service program supported by

1 a grant made by the applicant using such assistance will  
2 select a portion of the participants for the program from  
3 among prospective participants recruited by the Corpora-  
4 tion or State Commissions under section 138(d). The Cor-  
5 poration may specify a minimum percentage of partici-  
6 pants to be selected from the national leadership pool es-  
7 tablished under section 138(e) and may vary the percent-  
8 age for different types of national service programs. In  
9 the case of programs conducted by a State or subdivision  
10 of a State, the Corporation shall permit the State or sub-  
11 division to select only residents of that State if such a re-  
12 strictive selection procedure is necessary to comply with  
13 State or local law, regulation, or policy.

14 **“SEC. 132. INELIGIBLE SERVICE CATEGORIES.**

15 “An application submitted to the Corporation under  
16 section 130 shall include an assurance by the applicant  
17 that any national service program carried out using assist-  
18 ance provided under section 121 and any approved na-  
19 tional service position provided to an applicant will not be  
20 used to perform service that provides a direct benefit to  
21 any—

22 “(1) business organized for profit;

23 “(2) labor union;

24 “(3) partisan political organization; or



1           “(4) organization engaged in religious activities,  
2           unless such service does not involve the use of assist-  
3           ance provided under section 121 or participants to  
4           give religious instruction, conduct worship services,  
5           or engage in any form of proselytization.

6   **“SEC. 133. CONSIDERATION OF APPLICATIONS.**

7           “(a) CORPORATION CONSIDERATION OF CERTAIN  
8   CRITERIA.—The Corporation shall apply the criteria de-  
9   scribed in subsections (c) and (d) in determining wheth-  
10   er—

11           “(1) to approve an application submitted under  
12           section 130 and provide assistance under section  
13           121 to the applicant; and

14           “(2) to approve service positions described in  
15           the application as national service positions that in-  
16           clude the national service educational award de-  
17           scribed in subtitle D and provide such approved na-  
18           tional service positions to the applicant.

19           “(b) APPLICATION TO SUBGRANTS.—A State or  
20   other entity that uses assistance provided under section  
21   121(a) to support national service programs selected on  
22   a competitive basis to receive a share of the assistance  
23   shall use the criteria described in subsections (c) and (d)  
24   when considering an application submitted by a national  
25   service program to receive a portion of such assistance or

1 an approved national service position. The application of  
2 the State or other entity under section 130 shall contain  
3 a certification that the State or other entity complied with  
4 these criteria in the selection of national service programs  
5 to receive assistance.

6 “(c) ASSISTANCE CRITERIA.—The criteria required  
7 to be applied in evaluating applications submitted under  
8 section 130 are as follows:

9 “(1) The quality of the national service pro-  
10 gram proposed to be carried out directly by the ap-  
11 plicant or supported by a grant from the applicant.

12 “(2) The innovative aspects of the national  
13 service program, and the feasibility of replicating the  
14 program.

15 “(3) The sustainability of the national service  
16 program, based on evidence such as the existence—

17 “(A) of strong and broad-based community  
18 support for the program; and

19 “(B) of multiple funding sources or private  
20 funding for the program.

21 “(4) The quality of the leadership of the na-  
22 tional service program, the past performance of the  
23 program, and the extent to which the program  
24 builds on existing programs.

1           “(5) The extent to which participants of the na-  
2           tional service program are recruited from among  
3           residents of the communities in which projects are to  
4           be conducted, and the extent to which participants  
5           and community residents are involved in the design,  
6           leadership, and operation of the program.

7           “(6) The extent to which projects would be con-  
8           ducted in the following areas where they are needed  
9           most—

10               “(A) communities designated as enterprise  
11               zones or redevelopment areas, targeted for spe-  
12               cial economic incentives, or otherwise identifi-  
13               able as having high concentrations of low-  
14               income people;

15               “(B) areas that are environmentally  
16               distressed;

17               “(C) areas adversely affected by Federal  
18               actions related to the management of Federal  
19               lands that result in significant regional job  
20               losses and economic dislocation;

21               “(D) areas adversely affected by reductions  
22               in defense spending or the closure or realign-  
23               ment of military installations;

1           “(E) rural areas adversely affected by un-  
2           fair trading practices of international competi-  
3           tors of the United States; or

4           “(F) areas that have an unemployment  
5           rate greater than the national average unem-  
6           ployment for the most recent 12 months for  
7           which satisfactory data are available.

8           “(7) In the case of applicants other than  
9           States, the extent to which the application is consist-  
10          ent with the application under section 130 of the  
11          State in which the projects would be conducted.

12          “(8) Such other criteria as the Corporation con-  
13          siders to be appropriate.

14          “(d) OTHER CONSIDERATIONS.—

15               “(1) GEOGRAPHIC DIVERSITY.—The Corpora-  
16               tion shall ensure that recipients of assistance pro-  
17               vided under section 121 are geographically diverse  
18               and include projects to be conducted in those urban  
19               and rural areas in a State with the highest rates of  
20               poverty.

21               “(2) PRIORITIES.—The Corporation may des-  
22               ignate, under such criteria as may be established by  
23               the Corporation, certain national service programs  
24               or types of national service programs described in  
25               section 122(a) for priority consideration in the com-

1       petitive distribution of funds under section  
2       129(d)(2). In designating national service programs  
3       to receive priority, the Corporation may include—

4               “(A) national service programs carried out  
5       by another Federal agency;

6               “(B) national service programs that con-  
7       form to the national service priorities in effect  
8       under section 122(c);

9               “(C) innovative national service programs;

10              “(D) national service programs that are  
11       well established in one or more States at the  
12       time of the application and are proposed to be  
13       expanded to additional States using assistance  
14       provided under section 121;

15              “(E) grant programs in support of other  
16       national service programs if the grant programs  
17       are to be conducted by nonprofit organizations  
18       with a demonstrated and extensive expertise in  
19       the provision of services to meet human, edu-  
20       cational, environmental, or public safety needs;  
21       and

22              “(F) professional corps programs described  
23       in section 122(a)(8).

24       “(e) EMPHASIS ON AREAS MOST IN NEED.—In mak-  
25       ing assistance available under section 121 and in providing

1 approved national service positions under section 123, the  
2 Corporation shall ensure that not less than 50 percent of  
3 the total amount of assistance to be distributed to States  
4 under subsections (a) and (d)(1) of section 129 for a fiscal  
5 year are provided to carry out or support national service  
6 programs and projects that—

7           “(1) are conducted in areas of economic dis-  
8           tress described in subsection (c)(6) or on Federal or  
9           other public lands to address unmet human, edu-  
10          cational, environmental, or public safety needs in  
11          such areas; and

12          “(2) place a priority on the recruitment of par-  
13          ticipants who are residents of areas of economic dis-  
14          tress described in subsection (c)(6) or Federal or  
15          other public lands.

16          “(f) REJECTION OF STATE APPLICATIONS.—

17               “(1) NOTIFICATION OF STATE APPLICANTS.—If  
18               the Corporation rejects an application submitted by  
19               a State Commission under section 130 for funds de-  
20               scribed in section 129(a)(1), the Corporation shall  
21               promptly notify the State Commission of the reasons  
22               for the rejection of the application.

23               “(2) RESUBMISSION AND RECONSIDERATION.—

24               The Corporation shall provide a State Commission  
25               notified under paragraph (1) with a reasonable op-

1 portunity to revise and resubmit the application. At  
2 the request of the State Commission, the Corpora-  
3 tion shall provide technical assistance to the State  
4 Commission as part of the resubmission process.  
5 The Corporation shall promptly reconsider an appli-  
6 cation resubmitted under this paragraph.

7 “(3) REALLOTMENT.—The amount of any  
8 State’s allotment under section 129(a) for a fiscal  
9 year that the Corporation determines will not be  
10 provided for that fiscal year shall be available for  
11 distribution by the Corporation as provided in para-  
12 graph (4) of such subsection.

13 **“SEC. 134. EVALUATION OF SUCCESS OF INVESTMENT IN**  
14 **NATIONAL SERVICE.**

15 “(a) EVALUATION REQUIRED.—Not later than two  
16 years after the date of the enactment of this section, the  
17 Corporation shall arrange for the independent evaluation  
18 of the operation of this subtitle to determine the levels  
19 of participation of economically disadvantaged individuals  
20 in national service programs carried out or supported  
21 using assistance provided under section 121.

22 “(b) PERIOD COVERED BY EVALUATION.—The eval-  
23 uation required by this section shall cover the two-year  
24 period beginning on the date the Corporation first makes  
25 a grant under section 121.

1       “(c) INCOME LEVELS OF PARTICIPANTS.—The evalu-  
2     ating entity shall determine the total income of each par-  
3     ticipant who serves, during the period covered by the eval-  
4     uation, in a national service program carried out or sup-  
5     ported using assistance provided under section 121 or in  
6     an approved national service position. The total income  
7     of a participant shall be determined as of the date the  
8     participant was first selected to participate and shall in-  
9     clude family total income unless the evaluating entity de-  
10    termines that the participant was independent at the time  
11    of selection.

12       “(d) ASSISTANCE FOR DISTRESSED AREAS.—The  
13    evaluating entity shall also determine the amount of as-  
14    sistance provided under section 121 during the period cov-  
15    ered by the report that has been expended for projects  
16    conducted in areas of economic distress described in sec-  
17    tion 133(c)(6).

18       “(e) REPORT.—The evaluating entity shall submit a  
19    report containing the results of the evaluation to the  
20    President, the Congress, the Corporation, and each State  
21    Commission.

22       “(f) DEFINITIONS.—For purposes of this section:

23           “(1) The term ‘total income’ has the meaning  
24           given that term in subsection (a) of the Higher Edu-  
25           cation Act of 1965 (20 U.S.C. 1087vv).



1           “(2) The term ‘independent’ has the meaning  
2           given that term in subsection (d) of such section.

3       **“PART III—NATIONAL SERVICE PARTICIPANTS**

4       **“SEC. 137. DESCRIPTION OF PARTICIPANTS.**

5           “(a) IN GENERAL.—For purposes of this subtitle, an  
6       individual shall be considered to be a participant in a na-  
7       tional service program carried out using assistance pro-  
8       vided under section 121 if the individual—

9           “(1) meets such eligibility requirements as may  
10       be established by the program;

11          “(2) is selected by the program to serve in a po-  
12       sition with the program;

13          “(3) will serve in the program for a term of  
14       service specified in section 139 to be performed be-  
15       fore, during, or after attendance at an institution of  
16       higher education;

17          “(4) is 17 years of age or older at the time the  
18       individual begins the term of service;

19          “(5) has received a high school diploma or its  
20       equivalent, agrees to obtain a high school diploma or  
21       its equivalent (unless this requirement is waived  
22       based on an individual education assessment con-  
23       ducted by the program) and the individual did not  
24       drop out of an elementary or secondary school to en-  
25       roll in the program, or is enrolled in an institution

1 of higher education on an ability to benefit basis and  
2 is considered eligible for funds under section 484 of  
3 the Higher Education Act of 1965 (20 U.S.C.  
4 1091); and

5 “(6) is a citizen or national of the United  
6 States or lawful permanent resident alien of the  
7 United States.

8 “(b) SPECIAL RULES FOR CERTAIN YOUTH PRO-  
9 GRAMS.—An individual shall be considered to be a partici-  
10 pant in a youth corps program described in section  
11 122(a)(2) or a program described in section 122(a)(9)  
12 that is carried out with assistance provided under section  
13 121(a) if the individual—

14 “(1) satisfies the requirements specified in sub-  
15 section (a), except paragraph (4) of such subsection;  
16 and

17 “(2) is between the ages of 16 and 25, inclu-  
18 sive, at the time the individual begins the term of  
19 service.

20 **“SEC. 138. SELECTION OF NATIONAL SERVICE PARTICI-**  
21 **PANTS.**

22 “(a) SELECTION PROCESS.—Subject to subsections  
23 (b) and (c) and section 131(f), the actual recruitment and  
24 selection of an individual to serve in a national service pro-  
25 gram receiving assistance under section 121 or to fill an

1 approved national service position shall be conducted by  
2 the State, subdivision of a State, Indian tribe, public or  
3 private nonprofit organization, institution of higher edu-  
4 cation, Federal agency, or other entity to which the assist-  
5 ance and approved national service positions are provided.

6 “(b) NONDISCRIMINATION AND NONPOLITICAL SE-  
7 LECTION OF PARTICIPANTS.—The recruitment and selec-  
8 tion of individuals to serve in national service programs  
9 receiving assistance under section 121 or to fill approved  
10 national service positions shall be consistent with the re-  
11 quirements of section 175.

12 “(c) SECOND TERM.—Acceptance into a national  
13 service program to serve a second term of service under  
14 section 139 shall only be available to individuals who per-  
15 form satisfactorily in their first term of service.

16 “(d) RECRUITMENT AND PLACEMENT.—The Cor-  
17 poration and each State Commission shall establish a sys-  
18 tem to recruit individuals who desire to perform national  
19 service and to assist the placement of these individuals in  
20 approved national service positions, including positions  
21 available under titles I and II of the Domestic Volunteer  
22 Service Act of 1973 (42 U.S.C. 4951 et seq.). The Cor-  
23 poration and State Commissions shall disseminate infor-  
24 mation regarding available approved national service posi-  
25 tions through cooperation with secondary schools, institu-

1 tions of higher education, employment service offices, vo-  
2 cational rehabilitation agencies and other State offices  
3 that serve primarily people with disabilities, and other ap-  
4 propriate entities, particularly those organizations that  
5 provide outreach to disadvantaged youths and youths with  
6 disabilities.

7 “(e) NATIONAL LEADERSHIP POOL.—

8 “(1) SELECTION AND TRAINING.—From among  
9 individuals recruited under subsection (d), the Cor-  
10 poration may select individuals with significant lead-  
11 ership potential, as determined by the Corporation,  
12 to receive special training to enhance their leader-  
13 ship ability. The leadership training shall be pro-  
14 vided by the Corporation directly or through a grant  
15 or contract.

16 “(2) EMPHASIS ON CERTAIN INDIVIDUALS.—In  
17 selecting individuals to receive leadership training  
18 under this subsection, the Corporation shall make  
19 special efforts to select individuals who have served  
20 in the Peace Corps, as VISTA volunteers, as partici-  
21 pants in a program under title II of the Domestic  
22 Volunteer Service Act of 1973 (42 U.S.C. 5000 et  
23 seq.), or as participants in national service programs  
24 receiving assistance under section 121, or who are

1       honorably discharged members of the Armed Forces  
2       of the United States.

3           “(3) ASSIGNMENT.—At the request of a pro-  
4       gram that receives assistance under the national  
5       service laws, the Corporation may assign an individ-  
6       ual who receives leadership training under para-  
7       graph (1) to work with the program in a leadership  
8       position and carry out assignments not otherwise  
9       performed by regular participants. An individual as-  
10      signed to a program shall be considered to be a par-  
11      ticipant of the program.

12      “(f) EVALUATION OF SERVICE.—The Chairperson  
13      shall issue regulations regarding the manner and criteria  
14      by which the service of a participant shall be evaluated  
15      to determine whether the service is satisfactory and suc-  
16      cessful for purposes of eligibility for a second term of serv-  
17      ice or a national service educational award.

18      **“SEC. 139. TERMS OF SERVICE.**

19      “(a) IN GENERAL.—As a condition of receiving a na-  
20      tional service education award under subtitle D, a partici-  
21      pant in an approved national service position shall be re-  
22      quired to perform full- or part-time national service for  
23      at least one term of service specified in subsection (b).

24      “(b) TERM OF SERVICE.—

1           “(1) FULL-TIME SERVICE.—An individual per-  
2           forming full-time national service in an approved na-  
3           tional service position shall agree to participate in  
4           the program sponsoring the position for not less  
5           than 1,700 hours during a period of not less than  
6           9 months and not more than 1 year.

7           “(2) PART-TIME SERVICE.—Except as provided  
8           in paragraph (3), an individual performing part-time  
9           national service in an approved national service posi-  
10          tion shall agree to participate in the program spon-  
11          soring the position for not less than 1,700 hours  
12          during a period of—

13               “(A) not less than 1 year and not more  
14               than 2 years; or

15               “(B) not less than 1 year and not more  
16               than 3 years if the individual is enrolled in an  
17               institute of higher education while performing  
18               all or a portion of the service.

19          “(3) REDUCTION IN HOURS OF PART-TIME  
20          SERVICE.—The Corporation may reduce the number  
21          of hours required to be served to successfully com-  
22          plete part-time national service to a level determined  
23          by the Corporation, except that any reduction in the  
24          required term of service shall include a correspond-  
25          ing reduction in the amount of any national service

1 educational award that may be available under sub-  
2 title D with regard to that service.

3 “(c) RELEASE FROM COMPLETING TERM OF SERV-  
4 ICE.—

5 “(1) RELEASE AUTHORIZED.—A recipient of  
6 assistance under section 121 or a program sponsor-  
7 ing an approved national service position may re-  
8 lease a participant from completing a term of service  
9 in the position—

10 “(A) for compelling personal circumstances  
11 as demonstrated by the participant; or

12 “(B) for cause.

13 “(2) EFFECT OF RELEASE FOR COMPELLING  
14 CIRCUMSTANCES.—If a participant eligible for re-  
15 lease under paragraph (1)(A) is serving in an ap-  
16 proved national service position, the recipient of as-  
17 sistance under section 121 or a program sponsoring  
18 an approved national service position may elect—

19 “(A) to grant such release and provide to  
20 the participant that portion of the national  
21 service educational award corresponding to the  
22 portion of the term of service actually com-  
23 pleted, as provided in section 147(b); or

24 “(B) to permit the participant to tempo-  
25 rarily suspend performance of the term of serv-

1 ice for a period of up to 2 years (and such addi-  
2 tional period as the Corporation may allow for  
3 extenuating circumstances) and, upon comple-  
4 tion of such period, to allow return to the pro-  
5 gram with which the individual was serving in  
6 order to complete the remainder of the term of  
7 service and obtain the entire national service  
8 educational award.

9 “(3) EFFECT OF RELEASE FOR CAUSE.—A par-  
10 ticipant released for cause may not receive any por-  
11 tion of the national service educational award.

12 **“SEC. 140. LIVING ALLOWANCES FOR NATIONAL SERVICE**  
13 **PARTICIPANTS.**

14 “(a) PROVISION OF LIVING ALLOWANCE.—

15 “(1) LIVING ALLOWANCE REQUIRED.—Subject  
16 to paragraph (3), a national service program carried  
17 out using assistance provided under section 121  
18 shall provide to each participant who participates on  
19 a full-time basis in the program a living allowance  
20 in an amount equal or greater than the average an-  
21 nual subsistence allowance provided to VISTA volun-  
22 teers under section 105 of the Domestic Volunteer  
23 Service Act of 1973 (42 U.S.C. 4955).

24 “(2) LIMITATION ON FEDERAL SHARE.—The  
25 amount of the annual living allowance provided



1 under paragraph (1) that may be paid using assist-  
2 ance provided under section 121 and using any other  
3 Federal funds shall not exceed 85 percent of the  
4 total average annual provided to VISTA volunteers  
5 under section 105 of the Domestic Volunteer Service  
6 Act of 1973 (42 U.S.C. 4955).

7 “(3) MAXIMUM LIVING ALLOWANCE.—Except  
8 as provided in subsection (c), the total amount of an  
9 annual living allowance that may be provided to a  
10 participant in a national service program shall not  
11 exceed 200 percent of the average annual subsist-  
12 ence allowance provided to VISTA volunteers under  
13 section 105 of the Domestic Volunteer Service Act  
14 of 1973 (42 U.S.C. 4955).

15 “(4) PRORATION OF LIVING ALLOWANCE.—The  
16 amount provided as a living allowance under this  
17 subsection shall be prorated in the case of a partici-  
18 pant who is authorized to serve a reduced term of  
19 service under section 139(b)(3).

20 “(5) WAIVER OR REDUCTION OF LIVING AL-  
21 LOWANCE.—The Corporation may waive or reduce  
22 the requirement of paragraph (1) with respect to  
23 such national service program if such program dem-  
24 onstrates that—

1           “(A) such requirement is inconsistent with  
2           the objectives of the program; and

3           “(B) the amount of the living allowance  
4           that will be provided to each full-time partici-  
5           pant is sufficient to meet the necessary costs of  
6           living (including food, housing, and transpor-  
7           tation) in the area in which the program is lo-  
8           cated.

9           “(6) EXEMPTION.—The requirement of para-  
10          graph (1) shall not apply to any program which was  
11          in existence on the date of enactment of the Na-  
12          tional Service Trust Act of 1993.

13          “(7) EVALUATION OF LIVING ALLOWANCE.—  
14          Not later than 2 years after the effective date of this  
15          subsection, the Corporation shall arrange for an  
16          independent evaluation to determine the levels of liv-  
17          ing allowances paid in all programs under this sub-  
18          title, individually, by State, and by region. Such  
19          evaluation shall determine the effects that such liv-  
20          ing allowances have had on the ability of individuals  
21          to participate in such programs.

22          “(b) COVERAGE OF CERTAIN EMPLOYMENT-RELAT-  
23          ED TAXES.—To the extent a national service program that  
24          receives assistance under section 121 is subject, with re-  
25          spect to the participants in the program, to the taxes im-

1 posed on an employer under sections 3111 and 3301 of  
2 the Internal Revenue Code of 1986 (26 U.S.C. 3111,  
3 3301) and taxes imposed on an employer under a work-  
4 men's compensation act, the assistance provided to the  
5 program under section 121 shall include an amount suffi-  
6 cient to cover 85 percent of such taxes based upon the  
7 lesser of—

8           “(1) the total average annual subsistence allow-  
9        ance provided to VISTA volunteers under section  
10       105 of the Domestic Volunteer Service Act of 1973  
11       (42 U.S.C. 4955); and

12           “(2) the annual living allowance established by  
13       the program.

14       “(c) EXCEPTION FROM MAXIMUM LIVING ALLOW-  
15       ANCE FOR CERTAIN ASSISTANCE.—A professional corps  
16       program described in section 122(a)(8) that desires to  
17       provide or arrange for a living allowance in excess of the  
18       maximum allowance authorized in subsection (a)(3) may  
19       still apply for such assistance, except that—

20           “(1) any assistance provided to the applicant  
21       under section 121 may not be used to pay for any  
22       portion of the allowance;

23           “(2) the applicant shall apply for such assist-  
24       ance only by submitting an application to the Cor-  
25       poration for assistance on a competitive basis; and

1           “(3) the national service program must be oper-  
2           ated directly by the applicant and must meet urgent,  
3           unmet human, educational, environmental, or public  
4           safety needs, as determined by the Corporation.

5           “(d) HEALTH INSURANCE.—

6           “(1) IN GENERAL.—A State or other recipient  
7           of assistance under section 121 shall provide a basic  
8           health care policy for each full-time participant in a  
9           national service program carried out or supported  
10          using the assistance if the participant is not other-  
11          wise covered by a health care policy. Not more than  
12          85 percent of the cost of a premium shall be pro-  
13          vided by the Corporation, with the remaining cost  
14          paid by the entity receiving assistance under section  
15          121. The Corporation shall establish minimum  
16          standards that all plans must meet in order to qual-  
17          ify for payment under this part, any circumstances  
18          in which an alternative health care policy may be  
19          substituted for the basic health care policy, and  
20          mechanisms to prohibit participants from dropping  
21          existing coverage.

22          “(2) OPTION.—A State or other recipient of as-  
23          sistance under section 121 may elect to provide from  
24          its own funds a health care policy for participants  
25          that does not meet all of the standards established

1 by the Corporation if the fair market value of such  
2 policy is equal to or greater than the fair market  
3 value of a plan that meets the minimum standards  
4 established by the Corporation.

5 “(e) CHILD CARE.—

6 “(1) AVAILABILITY.—A State or other recipient  
7 of assistance under section 121 shall—

8 “(A) make child care available for children  
9 of each full-time participant who serves in a na-  
10 tional service program carried out or supported  
11 by the recipient using the assistance, including  
12 individuals who need such child care in order to  
13 participate in the program; or

14 “(B) provide a child care allowance to each  
15 full-time participant in a national service pro-  
16 gram who needs such assistance in order to  
17 participate in the program.

18 “(2) GUIDELINES.—The Corporation shall es-  
19 tablish guidelines regarding the circumstances under  
20 which child care must be made available under this  
21 subsection and the value of any allowance to be pro-  
22 vided.

23 “(f) INDIVIDUALIZED SUPPORT SERVICES.—A State  
24 or other recipient of assistance under section 121 shall  
25 provide auxiliary aids and services based on the individual-

1 ized need of a participant who is a qualified individual  
2 with a disability.

3 “(g) WAIVER OF LIMITATION ON FEDERAL  
4 SHARE.—The Corporation may waive in whole or in part  
5 the limitation on the Federal share specified in this section  
6 with respect to a particular national service program in  
7 any fiscal year if the Corporation determines that such  
8 a waiver would be equitable due to a lack of available fi-  
9 nancial resources at the local level.

10 **“SEC. 141. NATIONAL SERVICE EDUCATIONAL AWARDS.**

11 “(a) ELIGIBILITY GENERALLY.—A participant in a  
12 national service program carried out using assistance pro-  
13 vided to an applicant under section 121 shall be eligible  
14 for the national service educational award described in  
15 subtitle D if the participant—

16 “(1) serves in an approved national service po-  
17 sition; and

18 “(2) satisfies the eligibility requirements speci-  
19 fied in section 146 with respect to service in that ap-  
20 proved national service position.

21 “(b) SPECIAL RULE FOR VISTA VOLUNTEERS.—A  
22 VISTA volunteer who serves in an approved national serv-  
23 ice position shall be ineligible for a national service edu-  
24 cational award if the VISTA volunteer accepts the stipend

1 authorized under section 105(a)(1) of the Domestic Volun-  
 2 teen Service Act of 1973 (42 U.S.C. 4955(a)(1)).”.

3 (c) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 4 tional and Community Service Act of 1990 (Public Law  
 5 101–610; 104 Stat. 3127) is amended—

6 (1) by striking the items relating to subtitle C  
 7 of title I of such Act and inserting the following new  
 8 items:

“Subtitle C—National Service Trust Program

“PART I—INVESTMENT IN NATIONAL SERVICE

“Sec. 121. Authority to provide assistance and approved national service posi-  
 tions.

“Sec. 122. Types of national service programs eligible for program assistance.

“Sec. 123. Types of national service positions eligible for approval for national  
 service educational awards.

“Sec. 124. Types of program assistance.

“Sec. 125. Training and technical assistance.

“Sec. 126. Other special assistance.

“PART II—APPLICATION AND APPROVAL PROCESS

“Sec. 129. Provision of assistance and approved national service positions by  
 competitive and other means.

“Sec. 130. Application for assistance and approved national service positions.

“Sec. 131. National service program assistance requirements.

“Sec. 132. Ineligible service categories.

“Sec. 133. Consideration of applications.

“Sec. 134. Evaluation of success of investment in national service.

“PART III—NATIONAL SERVICE PARTICIPANTS

“Sec. 137. Description of participants.

“Sec. 138. Selection of national service participants.

“Sec. 139. Terms of service.

“Sec. 140. Living allowances for national service participants.

“Sec. 141. National service educational awards.”;

9 and

10 (2) by inserting after the item relating to sec-  
 11 tion 195O the following new items:

“Subtitle I—American Conservation and Youth Corps

“Sec. 199. Short title.  
 “Sec. 199A. General authority.  
 “Sec. 199B. Allocation of funds.  
 “Sec. 199C. State application.  
 “Sec. 199D. Focus of programs.  
 “Sec. 199E. Related programs.  
 “Sec. 199F. Public lands or Indian lands.  
 “Sec. 199G. Training and education services.  
 “Sec. 199H. Amount of award; matching requirement.  
 “Sec. 199I. Preference for certain projects.  
 “Sec. 199J. Age and citizenship criteria for enrollment.  
 “Sec. 199K. Use of volunteers.  
 “Sec. 199L. Post-service benefits.  
 “Sec. 199M. Living allowance.  
 “Sec. 199N. Joint programs.  
 “Sec. 199O. Federal and State employee status.”.

1       (d) LIVING ALLOWANCE UNDER SUBTITLE I.—Sec-  
 2       tion 199M(a) of the National and Community Service Act  
 3       of 1990 (former section 133(a) of such Act as redesign-  
 4       nated in subsection (a)(3) of this section) (42 U.S.C.  
 5       12553(a)) is amended by striking paragraphs (1) and (2)  
 6       and inserting the following new paragraphs:

7               “(1) LIVING ALLOWANCE REQUIRED.—Subject  
 8       to paragraph (3), each participant in a full-time  
 9       youth corps program that receives assistance under  
 10       this subtitle shall receive a living allowance in an  
 11       amount equal or greater than the average annual  
 12       subsistence allowance provided to VISTA volunteers  
 13       under section 105 of the Domestic Volunteer Service  
 14       Act of 1973 (42 U.S.C. 4955).

15               “(2) LIMITATION ON FEDERAL SHARE.—The  
 16       amount of the annual living allowance provided  
 17       under paragraph (1) that may be paid using assist-  
 18       ance provided under this subtitle, section 121, and



1 any other Federal funds shall not exceed 85 percent  
2 of the total average annual subsistence allowance  
3 provided to VISTA volunteers under section 105 of  
4 the Domestic Volunteer Service Act of 1973 (42  
5 U.S.C. 4955).

6 “(3) MAXIMUM LIVING ALLOWANCE.—The total  
7 amount of an annual living allowance that may be  
8 provided to a participant in a full-time youth corps  
9 program that receives assistance under this subtitle  
10 shall not exceed 200 percent of the average annual  
11 subsistence allowance provided to VISTA volunteers  
12 under section 105 of the Domestic Volunteer Service  
13 Act of 1973 (42 U.S.C. 4955).

14 “(4) WAIVER OR REDUCTION OF LIVING AL-  
15 LOWANCE.—The Corporation may waive or reduce  
16 the requirement of paragraph (1) with respect to  
17 such national service program if such program dem-  
18 onstrates that—

19 “(A) such requirement is inconsistent with  
20 the objectives of the program; and

21 “(B) the amount of the living allowance  
22 that will be provided to each full-time partici-  
23 pant is sufficient to meet the necessary costs of  
24 living (including food, housing, and transpor-

1           tation) in the area in which the program is lo-  
2           cated.

3           “(5) EXEMPTION.—The requirement of para-  
4           graph (1) shall not apply to any program which was  
5           in existence on the date of enactment of the Na-  
6           tional Service Trust Act of 1993.

7           “(6) EVALUATION OF LIVING ALLOWANCE.—  
8           Not later than 2 years after the effective date of this  
9           subsection, the Corporation shall arrange for an  
10          independent evaluation to determine the levels of liv-  
11          ing allowances paid in all programs under this sub-  
12          title, individually, by State, and by region. Such  
13          evaluation shall determine the effects that such liv-  
14          ing allowances have had on the ability of individuals  
15          to participate in such programs.”.

16          (e) TECHNICAL AND CONFORMING AMENDMENTS.—

17               (1) REFERENCES.—Subtitle I of title I of the  
18          National and Community Service Act of 1990 (as so  
19          redesignated by subsection (a)(1) of this section) is  
20          amended by striking “Commission” each place it ap-  
21          pears in sections 199A, 199B, 199C, 199D, 199F,  
22          199H, 199I, 199M, and 199N (as redesignated in  
23          subsection (a)(3) of this section) and inserting “Cor-  
24          poration”.

1           (2) GENERAL AUTHORITY.—Section 199A of  
2 such Act (as redesignated in subsection (a)(3) of  
3 this section) (42 U.S.C. 12541) is amended—

4                   (A) by striking “under section 102”; and

5                   (B) by striking “, to the Secretary of the  
6 Interior, or to the Director of ACTION” and  
7 inserting “or to the Secretary of the Interior”.

8           (3) ALLOCATION.—Section 199B of such Act  
9 (as redesignated in subsection (a)(3) of this section)  
10 (42 U.S.C. 12542) is amended by striking “section  
11 123” each place it appears and inserting “section  
12 199C”.

13           (4) STATE APPLICATION.—Section 199C(a) of  
14 such Act (as redesignated in subsection (a)(3) of  
15 this section) (42 U.S.C. 12543(a)) is amended by  
16 striking “section 122(b)” and inserting “section  
17 199B(b)”.

18           (5) PUBLIC LANDS.—Section 199F(b) of such  
19 Act (as redesignated in subsection (a)(3) of this sec-  
20 tion) (42 U.S.C. 12546(b)) is amended by striking  
21 “section 123” and inserting “section 199C”.

22           (6) PREFERENCE.—Section 199I(a) of such Act  
23 (as redesignated in subsection (a)(3) of this section)  
24 (42 U.S.C. 12549) is amended by striking “section  
25 123” and inserting “section 199C”.

1 **SEC. 102. NATIONAL SERVICE TRUST AND PROVISION OF**  
2 **NATIONAL SERVICE EDUCATIONAL AWARDS.**

3 (a) ESTABLISHMENT OF TRUST; PROVISION OF  
4 AWARDS.—Subtitle D of title I of the National and Com-  
5 munity Service Act of 1990 (42 U.S.C. 12571 et seq.) is  
6 amended to read as follows:

7 **“Subtitle D—National Service**  
8 **Trust and Provision of National**  
9 **Service Educational Awards**

10 **“SEC. 145. ESTABLISHMENT OF THE NATIONAL SERVICE**  
11 **TRUST.**

12 “(a) ESTABLISHMENT.—There is established in the  
13 Treasury of the United States an account to be known  
14 as the National Service Trust. The Trust shall consist  
15 of—

16 “(1) from the amounts appropriated to the Cor-  
17 poration and made available to carry out this sub-  
18 title pursuant to section 501(a)(2), such amounts as  
19 the Corporation may designate to be available for  
20 the payment of—

21 “(A) national service educational awards;  
22 and

23 “(B) interest expenses pursuant to section  
24 148(e);

1           “(2) any amounts received by the Corporation  
2       as gifts, bequests, devise, or otherwise pursuant to  
3       section 196(a)(2); and

4           “(3) the interest on, and proceeds from the sale  
5       or redemption of, any obligations held by the Trust.

6       “(b) INVESTMENT OF TRUST.—It shall be the duty  
7       of the Secretary of the Treasury to invest in full the  
8       amounts appropriated to the Trust. Except as otherwise  
9       expressly provided in instruments concerning a gift, be-  
10      quest, devise, or other donation and agreed to by the Cor-  
11      poration, such investments may be made only in interest-  
12      bearing obligations of the United States or in obligations  
13      guaranteed as to both principal and interest by the United  
14      States. For such purpose, such obligations may be ac-  
15      quired (1) on original issue at the issue price, or (2) by  
16      purchase of outstanding obligations at the marketplace.  
17      Any obligation acquired by the Trust may be sold by the  
18      Secretary at the market price.

19       “(c) EXPENDITURES FROM TRUST.—Amounts in the  
20      Trust shall be available for payments of national service  
21      educational awards in accordance with section 148.

22       “(d) REPORTS TO CONGRESS ON RECEIPTS AND EX-  
23      PENDITURES.—Not later than March 1 of each year, the  
24      Corporation shall submit a report to the Congress on the

1 financial status of the Trust during the preceding fiscal  
2 year. Such report shall—

3 “(1) specify the amount deposited to the Trust  
4 from the most recent appropriation to the Corpora-  
5 tion, the amount received by the Corporation as gifts  
6 or bequest during the period covered by the report,  
7 and any amounts obtained by the Trust pursuant to  
8 subsection (a)(3);

9 “(2) identify the number of individuals who are  
10 currently performing service to qualify, or have  
11 qualified, for national service educational awards;

12 “(3) identify the number of individuals whose  
13 ability to claim national service educational awards  
14 during the period covered by the report—

15 “(A) has been reduced pursuant to section  
16 147(b); or

17 “(B) has lapsed pursuant to section  
18 146(d); and

19 “(4) estimate the number of additional ap-  
20 proved national service positions which the Corpora-  
21 tion will be able to make available under subtitle C  
22 on the basis of any accumulated surplus in the  
23 Trust above the amount required to provide national  
24 service educational awards to individuals identified  
25 under paragraph (2), including any amounts avail-

1       able as a result of the circumstances referred to in  
2       paragraph (3).

3       **“SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE A NATIONAL**  
4                   **SERVICE EDUCATIONAL AWARD FROM THE**  
5                   **TRUST.**

6       “(a) ELIGIBLE INDIVIDUALS.—An individual shall  
7       receive a national service educational award from the Na-  
8       tional Service Trust if the individual—

9               “(1) successfully completes the required term of  
10       service described in subsection (b) in an approved  
11       national service position;

12              “(2) was 17 years of age or older at the time  
13       the individual began serving in the approved na-  
14       tional service position or was an out-of-school youth  
15       serving in an approved national service position with  
16       a youth corps program described in section  
17       122(a)(2) or a program described in section  
18       122(a)(9);

19              “(3) has received a high school diploma, or the  
20       equivalent of such diploma, at the time the individ-  
21       ual uses the national service educational award, un-  
22       less this requirement has been waived based on an  
23       individual education assessment conducted by the  
24       program; and

1           “(4) is a citizen or national of the United  
2       States or lawful permanent resident alien of the  
3       United States.

4           “(b) TERM OF SERVICE.—The term of service for an  
5       approved national service position shall not be less than  
6       the full- or part-time term of service specified in section  
7       139(b).

8           “(c) LIMITATION ON NUMBER OF TERMS OF SERV-  
9       ICE FOR AWARDS.—Although an individual may serve  
10      more than 2 terms of service described in subsection (b)  
11      in an approved national service position, the individual  
12      shall receive a national service educational award from the  
13      National Service Trust only on the basis of the first and  
14      second of such terms of service.

15          “(d) TIME FOR USE OF EDUCATIONAL AWARD.—

16               “(1) SEVEN-YEAR REQUIREMENT.—An individ-  
17      ual eligible to receive a national service educational  
18      award under this section may not use such award  
19      after the end of the 7-year period beginning on the  
20      date the individual completes the term of service in  
21      an approved national service position that is the  
22      basis of the award.

23               “(2) EXCEPTION.—The Corporation may ex-  
24      tend the period within which an individual may use



1 a national service educational award if the Corpora-  
 2 tion determines that the individual—

3 “(A) was unavoidably prevented from  
 4 using the national service educational award  
 5 during the original 7-year period; or

6 “(B) performed another term of service in  
 7 an approved national service position during  
 8 that period.

9 “(e) SUSPENSION OF ELIGIBILITY FOR DRUG-RE-  
 10 LATED OFFENSES.—

11 “(1) IN GENERAL.—An individual who, after  
 12 qualifying under this section as an eligible individ-  
 13 ual, has been convicted under any Federal or State  
 14 law of the possession or sale of a controlled sub-  
 15 stance shall not be eligible to receive a national serv-  
 16 ice educational award during the period beginning  
 17 on the date of such conviction and ending after the  
 18 interval specified in the following table:

“If convicted of:	
The possession of a controlled substance:	Ineligibility period is:
1st conviction .....	1 year
2nd conviction .....	2 years
3rd conviction .....	indefinite
The sale of a controlled substance:	
1st conviction .....	2 years
2nd conviction .....	indefinite

19 “(2) REHABILITATION.—An individual whose  
 20 eligibility has been suspended under paragraph (1)  
 21 shall resume eligibility before the end of the period

1       determined under such paragraph if the individual  
2       satisfactorily completes a drug rehabilitation pro-  
3       gram that complies with such criteria as the Cor-  
4       poration shall prescribe for purposes of this para-  
5       graph.

6           “(3) FIRST CONVICTIONS.—An individual whose  
7       eligibility has been suspended under paragraph (1)  
8       and is convicted of his or her first offense may re-  
9       sume eligibility before the end of the period deter-  
10      mined under such paragraph if the student dem-  
11      onstrates that he or she has enrolled or been accept-  
12      ed for enrollment in a drug rehabilitation program  
13      that complies with such criteria as the Corporation  
14      shall prescribe for purposes of this subsection.

15          “(4) DEFINITIONS.—As used in this subsection,  
16      the term ‘controlled substance’ has the meaning  
17      given in section 102(6) of the Controlled Substances  
18      Act (21 U.S.C. 802(6)).

19          “(5) EFFECTIVE DATE.—This subsection shall  
20      be effective upon publication by the Corporation in  
21      the Federal Register of criteria prescribed under  
22      paragraph (2) of this subsection.

23          “(f) AUTHORITY TO ESTABLISH DEMONSTRATION  
24      PROGRAMS.—The Corporation may establish by regulation

1 demonstration programs for the creation and evaluation  
2 of innovative volunteer and community service programs.

3 **“SEC. 147. DETERMINATION OF THE AMOUNT OF THE NA-**  
4 **TIONAL SERVICE EDUCATIONAL AWARD.**

5 “(a) AMOUNTS GENERALLY.—Except as provided in  
6 subsection (b), an individual described in section 146(a)  
7 who successfully completes a required term of service in  
8 an approved national service position shall receive a na-  
9 tional service educational award having a value, for each  
10 of not more than 2 of such terms of service, equal to 90  
11 percent of—

12 “(1) one-half of the aggregate minimum basic  
13 educational assistance allowance calculated under  
14 sections 3013(d)(1) and 3015(b)(1) of title 38,  
15 United States Code (as in effect on July 28, 1993),  
16 for a member of the Armed Forces who is entitled  
17 to such an allowance under section 3011 of such  
18 title and whose initial obligated period of active duty  
19 is two years; less

20 “(2) one-half of the aggregate basic contribu-  
21 tion required to be made by the member under sec-  
22 tion 3011(b) of such title (as in effect on July 28,  
23 1993).

24 “(b) AWARD FOR PARTIAL COMPLETION OF SERV-  
25 ICE.—If an individual serving in an approved national

1 service position is released in accordance with section  
 2 139(c)(1)(A) from completing the term of service agreed  
 3 to by the individual, the Corporation may provide the indi-  
 4 vidual with that portion of the national service educational  
 5 award approved for the individual that corresponds to the  
 6 quantity of the term of service actually completed by the  
 7 individual.

8 **“SEC. 148. DISBURSEMENT OF NATIONAL SERVICE EDU-**  
 9 **CATIONAL AWARDS.**

10 “(a) IN GENERAL.—Amounts in the Trust shall be  
 11 available—

12 “(1) to repay student loans in accordance with  
 13 subsection (b);

14 “(2) to pay all or part of the cost of attendance  
 15 at an institution of higher education in accordance  
 16 with subsection (c);

17 “(3) to pay expenses incurred in participating  
 18 in an approved school-to-work program in accord-  
 19 ance with subsection (d); and

20 “(4) to pay interest expenses in accordance with  
 21 regulations prescribed pursuant to subsection (e).

22 “(b) USE OF EDUCATIONAL AWARD TO REPAY OUT-  
 23 STANDING STUDENT LOANS.—

24 “(1) APPLICATION BY ELIGIBLE INDIVID-  
 25 UALS.—An eligible individual under section 146 who

1 desires to apply his or her national service edu-  
2 cational award to the repayment of qualified student  
3 loans shall submit, in a manner prescribed by the  
4 Corporation, an application to the Corporation  
5 that—

6 “(A) identifies, or permits the Corporation  
7 to identify readily, the holder or holders of such  
8 loans;

9 “(B) indicates, or permits the Corporation  
10 to determine readily, the amounts of principal  
11 and interest outstanding on the loans;

12 “(C) specifies, if the outstanding balance is  
13 greater than the amount disbursed under para-  
14 graph (2), which of the loans the individual pre-  
15 fers to be paid by the Corporation; and

16 “(D) contains or is accompanied by such  
17 other information as the Corporation may re-  
18 quire.

19 “(2) DISBURSEMENT OF REPAYMENTS.—Upon  
20 receipt of an application from an eligible individual  
21 of an application that complies with paragraph (1),  
22 the Corporation shall, as promptly as practicable  
23 consistent with paragraph (5), disburse the amount  
24 of the national service educational award to which  
25 the eligible individual is entitled. Such disbursement

1 shall be made by check or other means that is pay-  
2 able to the holder of the loan and requires the en-  
3 dorsement or other certification by the eligible indi-  
4 vidual.

5 “(3) APPLICATION OF DISBURSED AMOUNTS.—  
6 If the amount disbursed under paragraph (2) is less  
7 than the principal and accrued interest on any quali-  
8 fied student loan, such amount shall be applied ac-  
9 cording to the specified priorities of the individual.

10 “(4) REPORTS BY HOLDERS.—Any holder re-  
11 ceiving a loan payment pursuant to this subsection  
12 shall submit to the Corporation such information as  
13 the Corporation may require to verify that such pay-  
14 ment was applied in accordance with this subsection  
15 and any regulations prescribed to carry out this sub-  
16 section.

17 “(5) NOTIFICATION OF INDIVIDUAL.—The Cor-  
18 poration upon disbursing the national service edu-  
19 cational award, shall notify the individual of the  
20 amount paid for each outstanding loan and the date  
21 of payment.

22 “(6) AUTHORITY TO AGGREGATE PAYMENTS.—  
23 The Corporation may, by regulation, provide for the  
24 aggregation of payments to holders under this sub-  
25 section.

1           “(7) DEFINITION OF QUALIFIED STUDENT  
2       LOANS.—As used in this subsection, the term ‘quali-  
3       fied student loans’ means—

4           “(A) any loan made, insured, or guaran-  
5       teed pursuant to title IV of the Higher Edu-  
6       cation Act of 1965 (20 U.S.C. 1070 et seq.),  
7       other than a loan to a parent of a student pur-  
8       suant to section 428B of such Act (20 U.S.C.  
9       1078–2); and

10          “(B) any loan made pursuant to title VII  
11       or VIII of the Public Health Service Act (42  
12       U.S.C. 292a et seq.).

13          “(8) DEFINITION OF HOLDER.—As used in this  
14       subsection, the term ‘holder’ with respect to any eli-  
15       gible loan means the original lender or, if the loan  
16       is subsequently sold, transferred, or assigned to  
17       some other person, and such other person acquires  
18       a legally enforceable right to receive payments from  
19       the borrower, such other person.

20          “(c) USE OF EDUCATIONAL AWARDS TO PAY CUR-  
21       RENT EDUCATIONAL EXPENSES.—

22          “(1) APPLICATION BY ELIGIBLE INDIVIDUAL.—  
23       An eligible individual under section 146 who desires  
24       to apply his or her national service educational  
25       award to the payment of current full-time or part-

1 time educational expenses shall, on a form pre-  
2 scribed by the Corporation, submit an application to  
3 the institution of higher education in which the stu-  
4 dent will be enrolled that contains such information  
5 as the Corporation may require to verify the individ-  
6 ual's eligibility.

7 “(2) SUBMISSION OF REQUESTS FOR PAYMENT  
8 BY INSTITUTIONS.—An institution of higher edu-  
9 cation that receives one or more applications that  
10 comply with paragraph (1) shall submit to the Cor-  
11 poration a statement, in a manner prescribed by the  
12 Corporation, that—

13 “(A) identifies each eligible individual fil-  
14 ing an application under paragraph (1) for a  
15 disbursement of the individual's national service  
16 educational award under this subsection;

17 “(B) specifies the amounts for which such  
18 eligible individuals are, consistent with para-  
19 graph (6), qualified for disbursement under this  
20 subsection;

21 “(C) certifies that (i) the institution of  
22 higher education has in effect a program par-  
23 ticipation agreement under section 487 of the  
24 Higher Education Act of 1965 (20 U.S.C.  
25 1094), and (ii) the institution's eligibility to



1           participate in any of the programs under title  
2           IV of such Act (20 U.S.C. 1070 et seq.) has not  
3           been limited, suspended, or terminated; and

4           “(D) contains such provisions concerning  
5           financial compliance as the Corporation may re-  
6           quire.

7           “(3) DISBURSEMENT OF PAYMENTS.—Upon re-  
8           ceipt of a statement from an institution of higher  
9           education that complies with paragraph (2), the Cor-  
10          poration shall, subject to paragraph (4), disburse the  
11          total amount of the national service educational  
12          awards for which eligible individuals who have sub-  
13          mitted applications to that institution under para-  
14          graph (1) are qualified. Such disbursement shall be  
15          made by check or other means that is payable to the  
16          institution and requires the endorsement or other  
17          certification by the eligible individual.

18          “(4) MULTIPLE DISBURSEMENTS REQUIRED.—  
19          The total amount required to be disbursed to an in-  
20          stitution of higher education under paragraph (3)  
21          for any period of enrollment shall be disbursed by  
22          the Corporation in 2 or more installments, none of  
23          which exceeds  $\frac{1}{2}$  of such total amount. The interval  
24          between the first and second such installment shall  
25          not be less than  $\frac{1}{2}$  of such period of enrollment, ex-

cept as necessary to permit the second installment to be paid at the beginning of the second semester, quarter, or similar division of such period of enrollment.

“(5) REFUND RULES.—The Corporation shall, by regulation, provide for the refund to the Corporation (and the crediting to the national service educational award of an eligible individual) of amounts disbursed to institutions for the benefit of eligible individuals who withdraw or otherwise fail to complete the period of enrollment for which the assistance was provided. Such regulations shall be consistent with the fair and equitable refund policies required of institutions pursuant to section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b). Amounts refunded to the Trust pursuant to this paragraph may be used by the Corporation to fund additional approved national service positions under subtitle C.

“(6) MAXIMUM AWARD.—The portion of an eligible individual’s total available national service educational award that may be disbursed under this subsection for any period of enrollment shall not exceed the difference between—

1           “(A) the eligible individual’s cost of attend-  
2           ance for such period of enrollment, determined  
3           in accordance with section 472 of the Higher  
4           Education Act of 1965 (20 U.S.C. 1087ll); and

5           “(B) the sum of (i) the student’s estimated  
6           financial assistance for such period under part  
7           A of title IV of such Act (20 U.S.C. 1070 et  
8           seq.), and (ii) the student’s veterans’ education  
9           benefits, determined in accordance with section  
10          480(c) of such Act (20 U.S.C. 1087vv(c)).

11          “(d) USE OF EDUCATIONAL AWARD TO PARTICIPATE  
12 IN APPROVED SCHOOL-TO-WORK PROGRAMS.—The Cor-  
13 poration shall by regulation provide for the payment of  
14 national service educational awards to permit eligible indi-  
15 viduals to participate in school-to-work programs approved  
16 by the Secretaries of Labor and Education.

17          “(e) INTEREST PAYMENTS DURING FORBEARANCE  
18 ON LOAN REPAYMENT.—The Corporation shall provide by  
19 regulation for the payment on behalf of an eligible individ-  
20 ual of interest that accrues during a period for which such  
21 individual has obtained forbearance in the repayment of  
22 a qualified student loan (as defined in subsection (b)(6)),  
23 if the eligible individual successfully completes his or her  
24 required term of service (as determined under section

1 146(b)). Such regulations shall be prescribed after con-  
 2 sultation with the Secretary of Education.

3 “(f) EXCEPTION.—With the approval of the Director,  
 4 an approved national service program funded under sec-  
 5 tion 121, may offer participants the option of waiving  
 6 their right to receive a National Service Education Award  
 7 in order to receive an alternative post-service benefit fund-  
 8 ed by the program entirely with non-Federal funds.

9 “(g) DEFINITION OF INSTITUTION OF HIGHER EDU-  
 10 CATION.—Notwithstanding section 101 of this Act, for  
 11 purposes of this section the term ‘institution of higher  
 12 education’ has the meaning provided by section 481(a) of  
 13 the Higher Education Act of 1965 (20 U.S.C. 1088(a)).”.

14 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 15 tional and Community Service Act of 1990 (Public Law  
 16 101–610; 104 Stat. 3127) is amended by striking the  
 17 items relating to subtitle D of title I of such Act and in-  
 18 serting the following new items:

“Subtitle D—National Service Trust and Provision of National Service  
 Educational Awards

“Sec. 145. Establishment of the National Service Trust.

“Sec. 146. Individuals eligible to receive a national service educational award  
 from the Trust.

“Sec. 147. Determination of the amount of the national service educational  
 award.

“Sec. 148. Disbursement of national service educational awards.”.

19 (c) CONFORMING AMENDMENTS.—

20 (1) ELIGIBILITY FOR SUBSIDIZED STAFFORD  
 21 LOANS.—Section 428(a)(2)(C)(i) of the Higher Edu-

1 cation Act of 1965 (20 U.S.C. 1078(a)(2)(C)(i)) is  
2 amended by inserting after “parts C and E of this  
3 title,” the following: “any national service edu-  
4 cational award such student will receive under sub-  
5 title D of title I of the National and Community  
6 Service Act of 1990 (42 U.S.C. 12751 et seq.),”.

7 (2) FORBEARANCE IN THE COLLECTION OF  
8 STAFFORD LOANS.—Section 428 of the Higher Edu-  
9 cation Act of 1965 is amended—

10 (A) in subsection (b)(1)—

11 (i) by redesignating subparagraphs  
12 (W), (X), and (Y) as subparagraphs (X),  
13 (Y), and (Z), respectively; and

14 (ii) by inserting immediately after  
15 subparagraph (V) the following new sub-  
16 paragraph:

17 “(W)(i) provides that, upon written re-  
18 quest, a lender shall grant a borrower forbear-  
19 ance on such terms as are otherwise consistent  
20 with the regulations of the Secretary, during  
21 periods in which the borrower is serving in a  
22 national service position, for which he or she re-  
23 ceives a national service educational award  
24 under the National Service Trust Act of 1993;

1           “(ii) provides that clauses (iii) and (iv) of  
2           subparagraph (V) shall also apply to a forbear-  
3           ance granted under this subparagraph; and

4           “(iii) provides that interest shall continue  
5           to accrue on a loan for which a borrower re-  
6           ceives forbearance under this subparagraph and  
7           shall be capitalized or paid by the borrower;”;  
8           and

9           (B) in subsection (c)(3)(A), by striking  
10          “subsection (b)(1)(V)” and inserting “sub-  
11          section (b)(1) (V) and (W)”.

12          (3) ELIGIBILITY FOR STAFFORD LOAN FOR-  
13          GIVENESS.—Section 428J of the Higher Education  
14          Act of 1965 (20 U.S.C. 1078–10) is amended—

15               (A) in subsection (b)(1), is amended by  
16               striking “October 1, 1992” and inserting “Oc-  
17               tober 1, 1989”; and

18               (B) in subsection (c), by adding at the end  
19               the following new paragraph:

20               “(5) INELIGIBILITY OF NATIONAL SERVICE  
21          EDUCATIONAL AWARD RECIPIENTS.—No student  
22          borrower may, for the same volunteer service, receive  
23          a benefit under both this section and subtitle D of  
24          title I of the National and Community Service Act  
25          of 1990 (42 U.S.C. 12751 et seq.).”.

1           (4) ELIGIBILITY FOR PERKINS LOAN FORGIVE-  
 2           NESS.—Section 465(a) of the Higher Education Act  
 3           of 1965 (20 U.S.C. 1087ee(a)) is amended by add-  
 4           ing at the end the following new paragraph:

5           “(6) No borrower may, for the same volunteer  
 6           service, receive a benefit under both this section and  
 7           subtitle D of title I of the National and Community  
 8           Service Act of 1990 (42 U.S.C. 12751 et seq.).”.

9           (5) IMPACT ON GENERAL NEEDS ANALYSIS.—  
 10          Section 480(j) of such Act (20 U.S.C. 1087vv(j)) is  
 11          amended by adding at the end the following new  
 12          paragraph:

13          “(3) Notwithstanding paragraph (1), any na-  
 14          tional service educational award such student will re-  
 15          ceive under subtitle D of title I of the National and  
 16          Community Service Act of 1990 (42 U.S.C. 12751  
 17          et seq.) shall not be taken into account in determin-  
 18          ing estimated financial assistance not received under  
 19          this title.”.

20   **SEC. 103. SCHOOL-BASED AND COMMUNITY-BASED SERV-**  
 21           **ICE-LEARNING PROGRAMS.**

22          (a) AMENDMENTS TO SERVE-AMERICA PROGRAMS.—

23           (1) PURPOSE.—The purpose of this subsection  
 24          is to improve the Serve-America programs estab-  
 25          lished under part I of subtitle B of the National and

1 Community Service Act of 1990, and to enable the  
2 Corporation for National Service, and the entities  
3 receiving financial assistance under such part, to—

4 (A) work with teachers in elementary  
5 schools and secondary schools within a commu-  
6 nity, and with community-based agencies, to  
7 create and offer service-learning opportunities  
8 for all school-age youth;

9 (B) educate teachers, and faculty providing  
10 teacher training and retraining, about service-  
11 learning, and incorporate service-learning op-  
12 portunities into classroom teaching to strength-  
13 en academic learning;

14 (C) coordinate the work of adult volunteers  
15 who work with elementary and secondary  
16 schools as part of their community service ac-  
17 tivities; and

18 (D) work with employers in the commu-  
19 nities to ensure that projects introduce the stu-  
20 dents to various careers and expose the stu-  
21 dents to needed further education and training.

22 (2) PROGRAMS.—Subtitle B of title I of the Na-  
23 tional and Community Service Act of 1990 (42  
24 U.S.C. 12501 et seq.) is amended by striking the



1 subtitle heading and all that follows through the end  
 2 of part I and inserting the following:

3 **“Subtitle B—School-Based and**  
 4 **Community-Based Service-**  
 5 **Learning Programs**

6 **“PART I—SERVE-AMERICA PROGRAMS**

7 **“Subpart A—School-Based Programs for Students**

8 **“SEC. 111. AUTHORITY TO ASSIST STATES AND INDIAN**  
 9 **TRIBES.**

10 “(a) USE OF FUNDS.—The Corporation, in consulta-  
 11 tion with the Secretary of Education, may make grants  
 12 under section 112(b)(1), and allotments under subsections  
 13 (a) and (b)(2) of section 112, to States (acting through  
 14 their State educational agency) and Indian tribes to pay  
 15 for the Federal share of—

16 “(1) planning and building the capacity of the  
 17 States or Indian tribes (which may be accomplished  
 18 through grants or contracts with qualified organiza-  
 19 tions) to implement school-based service-learning  
 20 programs, including—

21 “(A) providing training for teachers, su-  
 22 pervisors, personnel from community-based  
 23 agencies (particularly with regard to the utiliza-  
 24 tion of participants), and trainers, to be con-

1           ducted by qualified individuals or organizations  
2           that have experience with service-learning;

3           “(B) developing service-learning curricula  
4           to be integrated into academic programs, in-  
5           cluding the age-appropriate learning component  
6           described in section 114(d)(5)(B);

7           “(C) forming local partnerships described  
8           in paragraph (2) or (4) to develop school-based  
9           service-learning programs in accordance with  
10          this subpart;

11          “(D) devising appropriate methods for re-  
12          search and evaluation of the educational value  
13          of service-learning and the effect of service-  
14          learning activities on communities; and

15          “(E) establishing effective outreach and  
16          dissemination of information to ensure the  
17          broadest possible involvement of community-  
18          based agencies with demonstrated effectiveness  
19          in working with school-age youth in their com-  
20          munities;

21          “(2) implementing, operating, or expanding  
22          school-based service-learning programs, which may  
23          include paying for the cost of the recruitment, train-  
24          ing, supervision, placement, salaries, and benefits of  
25          service-learning coordinators, through State distribu-

1       tion of Federal funds made available under this sub-  
2       part to projects operated by local partnerships  
3       among—

4               “(A) local educational agencies; and

5               “(B) one or more community partners

6       that—

7               “(i) shall include a public or private  
8       nonprofit organization that—

9               “(I) has a demonstrated and ex-  
10       tensive expertise in the provision of  
11       services to meet unmet human, edu-  
12       cational, environmental, or public  
13       safety needs;

14              “(II) was in existence at least 1  
15       year before the date on which the or-  
16       ganization applies to participate in the  
17       partnership; and

18              “(III) will make projects avail-  
19       able for participants, who shall be stu-  
20       dents; and

21              “(ii) may include a private for-profit  
22       business or private elementary or second-  
23       ary school;

24       “(3) planning of school-based service-learning  
25       programs through State distribution of Federal

1 funds made available under this subpart to local  
2 educational agencies, which planning may include  
3 paying for the cost of—

4 “(A) the salaries and benefits of service-  
5 learning coordinators; or

6 “(B) the recruitment, training, supervision,  
7 and placement of service-learning coordinators  
8 who are participants in a program under sub-  
9 title C or receive a national service educational  
10 award under subtitle D,

11 who will identify the community partners described  
12 in paragraph (2)(B) and assist in the design and im-  
13 plementation of a program described in paragraph  
14 (2); and

15 “(4) implementing, operating, or expanding  
16 school-based service-learning programs involving  
17 adult volunteers to utilize service-learning to improve  
18 the education of students through State distribution  
19 of Federal funds made available under this part to  
20 local partnerships among—

21 “(A) local educational agencies; and

22 “(B) one or more—

23 “(i) public or private nonprofit organi-  
24 zations;

25 “(ii) other educational agencies; or

1                   “(iii) private for-profit businesses,  
2           that coordinate and operate projects for participants,  
3           who shall be students.

4           “(b) DUTIES OF SERVICE-LEARNING COORDINA-  
5 TOR.—A service-learning coordinator referred to in para-  
6 graph (2) or (3) of subsection (a) shall provide services  
7 to a local educational agency by—

8                   “(1) expanding the awareness of teachers of the  
9           potential of service-learning in strengthening the  
10          educational achievement, leadership development,  
11          and substantive learning, of students;

12                  “(2) providing technical assistance and informa-  
13          tion to, and facilitating the training of, teachers who  
14          want to use service-learning in their classrooms;

15                  “(3) assisting local partnerships described in  
16          subsection (a) in the planning, development, and  
17          execution of service-learning projects;

18                  “(4) recruiting and supervising adult volun-  
19          teers, or individuals who are participants in a pro-  
20          gram under subtitle C or receive a national service  
21          educational award under subtitle D, to expand serv-  
22          ice-learning opportunities; and

23                  “(5) coordinating the activities of the service-  
24          learning coordinator with the activities of the com-

11 **“SEC. 111A. AUTHORITY TO ASSIST LOCAL APPLICANTS IN**  
12 **NONPARTICIPATING STATES.**

20 “(1) carrying out the activities described in  
21 paragraph (2) or (4) of section 111(a), to a local  
22 partnership described in such paragraph; or

23 “(2) carrying out the activities described in  
24 paragraph (3) of such section, to an agency de-  
25 scribed in such paragraph,

1 that is located in the State.

2 **“SEC. 111B. AUTHORITY TO ASSIST PUBLIC OR PRIVATE**  
3 **NONPROFIT ORGANIZATIONS.**

4 “(a) IN GENERAL.—The Corporation may make  
5 grants under section 112(b)(1) to public and private non-  
6 profit organizations that—

7 “(1) have experience with service-learning;

8 “(2) were in existence 1 year before the date on  
9 which the organization submitted an application  
10 under section 114(a); and

11 “(3) meet such other criteria as the Chair-  
12 person may establish.

13 “(b) USE OF FUNDS.—Such organizations may use  
14 grants made under subsection (a) to make grants to part-  
15 nerships described in paragraph (2) or (4) of section  
16 111(a) to implement, operate, or expand school-based  
17 service-learning programs as described in such section and  
18 provide technical assistance and training to appropriate  
19 persons.

20 **“SEC. 112. GRANTS AND ALLOTMENTS.**

21 “(a) INDIAN TRIBES AND TERRITORIES.—Of the  
22 amounts appropriated to carry out this subpart for any  
23 fiscal year, the Corporation shall reserve an amount of not  
24 more than 1 percent for payments to Indian tribes, the  
25 Virgin Islands of the United States, Guam, American

1 Samoa, and the Commonwealth of the Northern Mariana  
2 Islands, to be allotted in accordance with their respective  
3 needs. The Corporation may also make payments from  
4 such amount to Palau, in accordance with its needs, until  
5 such time as the Compact of Free Association with Palau  
6 is ratified.

7 “(b) GRANTS AND ALLOTMENTS THROUGH  
8 STATES.—The Corporation shall use the remainder of the  
9 funds appropriated to carry out this subpart for any fiscal  
10 year as follows:

11 “(1) GRANTS.—Except as provided in para-  
12 graph (3), from 25 percent of such funds, the Cor-  
13 poration may make grants, on a competitive basis,  
14 to—

15 “(A) State educational agencies and Indian  
16 tribes; or

17 “(B) as described in section 111B, to  
18 grantmaking entities.

19 “(2) ALLOTMENTS.—

20 “(A) SCHOOL-AGE YOUTH.—Except as pro-  
21 vided in paragraph (3), from 37.5 percent of  
22 such funds, the Corporation shall allot to each  
23 State an amount that bears the same ratio to  
24 37.5 percent of such funds as the number of



1 school-age youth in the State bears to the total  
2 number of school-age youth of all States.

3 “(B) ALLOCATION UNDER ELEMENTARY  
4 AND SECONDARY EDUCATION ACT OF 1965.—  
5 Except as provided in paragraph (3), from 37.5  
6 percent of such funds, the Corporation shall  
7 allot to each State an amount that bears the  
8 same ratio to 37.5 percent of such funds as the  
9 allocation to the State for the previous fiscal  
10 year under chapter 1 of title I of the Elemen-  
11 tary and Secondary Education Act of 1965 (20  
12 U.S.C. 2711 et seq.) bears to such allocations  
13 to all States.

14 “(3) MINIMUM AMOUNT.—No State shall re-  
15 ceive, under paragraph (2), an allotment that is less  
16 than the allotment such State received for fiscal year  
17 1993 under section 112(b) of this Act, as in effect  
18 on the day before the date of enactment of this part.  
19 If the amount of funds made available in a fiscal  
20 year to carry out paragraph (2) is insufficient to  
21 make such allotments, the Corporation shall make  
22 available sums from the 25 percent described in  
23 paragraph (1) for such fiscal year to make such al-  
24 lotments.

1           “(4) DEFINITION.—Notwithstanding section  
2       101(25), for purposes of this subsection, the term  
3       ‘State’ means each of the several States, the District  
4       of Columbia, the Commonwealth of Puerto Rico, and  
5       an Indian tribe.

6           “(c) REALLOTMENT.—If the Corporation determines  
7       that the allotment of a State or Indian tribe under this  
8       section will not be required for a fiscal year because the  
9       State or Indian tribe does not submit an application for  
10      the allotment under section 113 that meets the require-  
11      ments of such section and such other requirements as the  
12      Chairperson may determine to be appropriate, the Cor-  
13      poration shall, after making any grants under section  
14      111A to a partnership or agency described in such section,  
15      make any remainder of such allotment available for real-  
16      lotment to such other States, and Indian tribes, with ap-  
17      proved applications submitted under section 113, as the  
18      Corporation may determine to be appropriate.

19          “(d) EXCEPTION.—Notwithstanding subsections (a)  
20      and (b), if less than \$20,000,000 is appropriated for any  
21      fiscal year to carry out this subpart, the Corporation shall  
22      award grants to States and Indian tribes, from the  
23      amount so appropriated, on a competitive basis to pay for  
24      the Federal share of the activities described in section 111.

1   **“SEC. 113. STATE OR TRIBAL APPLICATIONS.**

2       “(a) SUBMISSION.—To be eligible to receive a grant  
3 under section 112(b)(1), an allotment under subsection  
4 (a) or (b)(2) of section 112, a reallocation under section  
5 112(c), or a grant under section 112(d), a State, acting  
6 through the State educational agency, or an Indian tribe,  
7 shall prepare, submit to the Corporation, and obtain ap-  
8 proval of, an application at such time and in such manner  
9 as the Chairperson may reasonably require.

10       “(b) CONTENTS.—An application that is submitted  
11 under subsection (a) with respect to service-learning pro-  
12 grams described in section 111 shall include—

13           “(1) a 3-year strategic plan, or a revision of a  
14 previously approved 3-year strategic plan, for pro-  
15 moting service-learning through the programs, which  
16 plan shall contain such information as the Chair-  
17 person may reasonably require, such as—

18           “(A) a description of the goals to be at-  
19 tained in promoting service-learning through  
20 such programs;

21           “(B) a description of the resources and or-  
22 ganization needed to achieve the goals of such  
23 programs within elementary schools and second-  
24 ary schools; and

25           “(C) a description of the manner in  
26 which—

1           “(i) such programs and the activities  
2           to be carried out under such programs re-  
3           late to the goals described in subparagraph  
4           (A);

5           “(ii) the applicant will evaluate the  
6           success of the programs and the extent of  
7           community involvement in the programs,  
8           and measure the extent to which the pro-  
9           grams meet the goals described in subpara-  
10          graph (A);

11          “(iii) in reviewing applications submit-  
12          ted under section 114(c), the applicant has  
13          ranked the applications according to the  
14          criteria described in section 115(b), has  
15          considered the factors described in section  
16          115(a), and has reviewed the applications  
17          in a manner that ensured the equitable  
18          treatment of all such applications;

19          “(iv) the programs will be coordinated  
20          with—

21                  “(I) the education reform efforts  
22                  of the applicant;

23                  “(II) other efforts to meet the  
24                  National Education Goals;

1           “(III) other service activities in  
2           the State or serving the Indian tribe;  
3           and

4           “(IV) other education programs,  
5           training programs, social service pro-  
6           grams, and appropriate programs that  
7           serve school-age youth, that are au-  
8           thorized under Federal law;

9           “(v) the applicant will disseminate in-  
10          formation, conduct outreach, and take  
11          other measures, to encourage cooperative  
12          efforts among the local educational agen-  
13          cies, local government agencies, commu-  
14          nity-based agencies, State agencies, and  
15          private for-profit businesses that will carry  
16          out the service-learning programs proposed  
17          by the applicant, to develop and provide  
18          projects, including those that involve the  
19          participation of urban, suburban, and rural  
20          students working together;

21          “(vi) the applicant will promote ap-  
22          propriate projects in such programs for  
23          economically disadvantaged students, stu-  
24          dents with limited basic skills, students in  
25          foster care who are becoming too old for

1 foster care, students of limited English  
2 proficiency, homeless students, and stu-  
3 dents with disabilities;

4 “(vii) service-learning training and  
5 technical assistance will be provided  
6 through the programs—

7 “(I) to State and local edu-  
8 cational agency personnel, federally  
9 assisted education specialists in the  
10 State or serving the Indian tribe, and  
11 local recipients of grants under this  
12 subpart, to raise the awareness of  
13 service-learning among such person-  
14 nel, specialists, and recipients; and

15 “(II) by qualified and experi-  
16 enced individuals employed by the  
17 State or Indian tribe or through  
18 grants or contracts with such individ-  
19 uals;

20 “(viii) a service-learning network will  
21 be established for the State or Indian  
22 tribe, comprised of expert teachers and ad-  
23 ministrators who have carried out success-  
24 ful service-learning activities within the  
25 State or serving the Indian tribe; and

1           “(ix) the applicant will use payments  
2           from sources described in section  
3           116(a)(2)(B) to expand projects for stu-  
4           dents through the programs proposed by  
5           the applicant;

6           “(2) assurances that—

7           “(A) the applicant will keep such records  
8           and provide such information to the Corpora-  
9           tion with respect to the programs as may be re-  
10          quired for fiscal audits and program evaluation;  
11          and

12          “(B) the applicant will comply with the  
13          nonduplication and nondisplacement require-  
14          ments of section 177; and

15          “(3) such additional information as the Chair-  
16          person may reasonably require.

17   **“SEC. 114. LOCAL APPLICATIONS.**

18          “(a) APPLICATION TO CORPORATION TO MAKE  
19   GRANTS FOR SCHOOL-BASED SERVICE-LEARNING PRO-  
20   GRAMS.—

21          “(1) IN GENERAL.—To be eligible to receive a  
22          grant in accordance with section 111B(a) to make  
23          grants relating to school-based service-learning pro-  
24          grams described in section 111(a)(2), a grantmaking

1       entity shall prepare, submit to the Corporation, and  
2       obtain approval of, an application.

3           “(2) SUBMISSION.—Such application shall be  
4       submitted at such time and in such manner, and  
5       shall contain such information, as the Chairperson  
6       may reasonably require. Such application shall in-  
7       clude a proposal to assist such programs in more  
8       than 1 State.

9           “(b) DIRECT APPLICATION TO CORPORATION TO  
10      CARRY OUT SCHOOL-BASED SERVICE-LEARNING PRO-  
11      GRAMS IN NONPARTICIPATING STATES.—To be eligible to  
12      receive a grant from the Corporation in the circumstances  
13      described in section 111A to carry out an activity de-  
14      scribed in such section, a partnership or agency described  
15      in such section shall prepare, submit to the Corporation,  
16      and obtain approval of, an application. Such application  
17      shall be submitted at such time and in such manner, and  
18      shall contain such information, as the Chairperson may  
19      reasonably require.

20           “(c) APPLICATION TO STATE OR INDIAN TRIBE TO  
21      RECEIVE ASSISTANCE TO CARRY OUT SCHOOL-BASED  
22      SERVICE-LEARNING PROGRAMS.—

23           “(1) IN GENERAL.—Any—

24                   “(A) qualified organization that desires to  
25           receive financial assistance under this subpart



1 from a State or Indian tribe for an activity de-  
2 scribed in section 111(a)(1);

3 “(B) partnership described in section  
4 111(a)(2) that desires to receive such assistance  
5 from a State, Indian tribe, or grantmaking en-  
6 tity for an activity described in section  
7 111(a)(2);

8 “(C) agency described in section 111(a)(3)  
9 that desires to receive such assistance from a  
10 State or Indian tribe for an activity described  
11 in such section; or

12 “(D) partnership described in section  
13 111(a)(4) that desires to receive such assistance  
14 from a State or Indian tribe for an activity de-  
15 scribed in such section,

16 to be carried out through a service-learning program  
17 described in section 111, shall prepare, submit to  
18 the State educational agency, Indian tribe, or  
19 grantmaking entity, and obtain approval of, an ap-  
20 plication for the program.

21 “(2) SUBMISSION.—Such application shall be  
22 submitted at such time and in such manner, and  
23 shall contain such information, as the agency, tribe,  
24 or entity may reasonably require.

1       “(d) CONTENTS OF APPLICATION.—An application  
2 that is submitted under subsection (a), (b), or (c) with  
3 respect to a service-learning program described in section  
4 111 shall, at a minimum, contain a proposal that in-  
5 cludes—

6               “(1) information specifying the membership and  
7 role of an established advisory committee, consisting  
8 of representatives of community-based agencies in-  
9 cluding service recipients, students, parents, teach-  
10 ers, administrators, representatives of agencies that  
11 serve school-age youth or older adults, school board  
12 members, representatives of local labor organiza-  
13 tions, and representatives of business, that will pro-  
14 vide advice with respect to the program;

15               “(2) a description of—

16                       “(A) the goals of the program which shall  
17 include goals that are quantifiable and dem-  
18 onstrate any benefits from the program to par-  
19 ticipants and the community;

20                       “(B) service-learning projects to be pro-  
21 vided under the program, and evidence that  
22 participants will make a sustained commitment  
23 to service in the projects;

1           “(C) the manner in which participants in  
2           the program were or will be involved in the de-  
3           sign and operation of the program;

4           “(D) training for supervisors, teachers,  
5           service sponsors, and participants in the pro-  
6           gram;

7           “(E) the manner in which exemplary serv-  
8           ice will be recognized under the program; and

9           “(F) any resources that will permit con-  
10          tinuation of the program, if needed, after the  
11          assistance received under this subpart for the  
12          program has ended;

13         “(3) information that shall include—

14                 “(A) a disclosure of whether or not the  
15                 participants will receive academic credit for par-  
16                 ticipation in the program;

17                 “(B) the expected number of participants  
18                 in the program and the hours of service that  
19                 such participants will provide individually and  
20                 as a group;

21                 “(C) the proportion of expected partici-  
22                 pants in the program who are economically dis-  
23                 advantaged, including participants with disabil-  
24                 ities; and

1           “(D) any role of adult volunteers in imple-  
2           menting the program, and the manner in which  
3           such volunteers will be recruited;

4           “(4) in the case of an application submitted by  
5           a local partnership, a written agreement, between  
6           the members of the local partnership, stating that  
7           the program was jointly developed by the members  
8           and that the program will be jointly executed by the  
9           members; and

10          “(5) assurances that—

11               “(A) prior to the placement of a partici-  
12               pant, the entity carrying out the program will  
13               consult with any local labor organization rep-  
14               resenting employees in the area who are en-  
15               gaged in the same or similar work as that pro-  
16               posed to be carried out by such program, to  
17               prevent the displacement and protect the rights  
18               of such employees;

19               “(B) the entity carrying out the program  
20               will develop an age-appropriate learning compo-  
21               nent for participants in the program that shall  
22               include a chance for participants to analyze and  
23               apply their service experiences; and

24               “(C) the entity carrying out the program  
25               will comply with the nonduplication and

1           nondisplacement requirements of section 177  
2           and grievance procedure requirements of section  
3           176(f).

4   **“SEC. 115. CONSIDERATION OF APPLICATIONS.**

5       “(a) CRITERIA FOR APPLICATIONS.—In approving  
6 applications for financial assistance under subsection (a),  
7 (b), (c), or (d) of section 112, the Corporation shall con-  
8 sider such criteria with respect to sustainability,  
9 replicability, innovation, and quality of programs under  
10 this subpart as the Chairperson may by regulation specify.  
11 In providing assistance under this subpart, a State edu-  
12 cational agency, Indian tribe, or grantmaking entity shall  
13 consider such criteria.

14       “(b) PRIORITY FOR LOCAL APPLICATIONS.—

15           “(1) IN GENERAL.—In providing assistance  
16 under this subpart, a State educational agency or  
17 Indian tribe, or the Corporation if section 111A or  
18 111B applies, shall give priority to entities that sub-  
19 mit applications under section 114 with respect to  
20 service-learning programs described in section 111  
21 that—

22                   “(A) involve participants in the design and  
23 operation of the program;

24                   “(B) are in the greatest need of assistance,  
25 such as programs targeting low-income areas;

1 “(C) involve—

2 “(i) students from public elementary  
3 or secondary schools, and students from  
4 private elementary or secondary schools,  
5 serving together; or

6 “(ii) students of different ages, races,  
7 sexes, ethnic groups, disabilities, or eco-  
8 nomic backgrounds, serving together; or

9 “(D) are integrated into the academic pro-  
10 gram of the participants.

11 “(c) REJECTION OF APPLICATIONS.—If the Corpora-  
12 tion rejects an application submitted by a State under sec-  
13 tion 113 for an allotment under subsection (b)(2) of sec-  
14 tion 112, the Corporation shall promptly notify the State  
15 of the reasons for the rejection of the application. The  
16 Corporation shall provide the State with a reasonable op-  
17 portunity to revise and resubmit the application and shall  
18 provide technical assistance, if needed, to the State as part  
19 of the resubmission process. The Corporation shall  
20 promptly reconsider such resubmitted application.

21 **“SEC. 115A. PARTICIPATION OF STUDENTS AND TEACHERS**  
22 **FROM PRIVATE SCHOOLS.**

23 “(a) IN GENERAL.—To the extent consistent with the  
24 number of students in the State or Indian tribe or in the  
25 school district of the local educational agency involved who

1 are enrolled in private nonprofit elementary and secondary  
2 schools, such State, Indian tribe, or agency shall (after  
3 consultation with appropriate private school representa-  
4 tives) make provision—

5           “(1) for the inclusion of services and arrange-  
6           ments for the benefit of such students so as to allow  
7           for the equitable participation of such students in  
8           the programs implemented to carry out the objec-  
9           tives and provide the benefits described in this sub-  
10          part; and

11          “(2) for the training of the teachers of such  
12          students so as to allow for the equitable participa-  
13          tion of such teachers in the programs implemented  
14          to carry out the objectives and provide the benefits  
15          described in this subpart.

16          “(b) WAIVER.—If a State, Indian tribe, or local edu-  
17          cational agency is prohibited by law from providing for  
18          the participation of students or teachers from private non-  
19          profit schools as required by subsection (a), or if the Cor-  
20          poration determines that a State, Indian tribe, or local  
21          educational agency substantially fails or is unwilling to  
22          provide for such participation on an equitable basis, the  
23          Chairperson shall waive such requirements and shall ar-  
24          range for the provision of services to such students and  
25          teachers. Such waivers shall be subject to consultation,

1 withholding, notice, and judicial review requirements in  
2 accordance with paragraphs (3) and (4) of section 1017(b)  
3 of the Elementary and Secondary Education Act of 1965  
4 (20 U.S.C. 2727(b)).

5 **“SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

6 “(a) SHARE.—

7 “(1) IN GENERAL.—The Federal share attrib-  
8 utable to this subpart of the cost of carrying out a  
9 program for which a grant or allotment is made  
10 under this subpart may not exceed—

11 “(A) 90 percent of the total cost of the  
12 program for the first year for which the pro-  
13 gram receives assistance under this subpart;

14 “(B) 80 percent of the total cost of the  
15 program for the second year for which the pro-  
16 gram receives assistance under this subpart;

17 “(C) 70 percent of the total cost of the  
18 program for the third year for which the pro-  
19 gram receives assistance under this subpart;  
20 and

21 “(D) 50 percent of the total cost of the  
22 program for the fourth year, and for any subse-  
23 quent year, for which the program receives as-  
24 sistance under this subpart.



1           “(2) CALCULATION.—In providing for the re-  
2           maining share of the cost of carrying out such a pro-  
3           gram, each recipient of assistance under this sub-  
4           part—

5                   “(A) shall provide for such share through  
6                   a payment in cash or in kind, fairly evaluated,  
7                   including facilities, equipment, or services; and

8                   “(B) may provide for such share through  
9                   State sources, local sources, or Federal sources  
10                  (other than funds made available under the na-  
11                  tional service laws).

12          “(b) WAIVER.—The Chairperson may waive the re-  
13          quirements of subsection (a) in whole or in part with re-  
14          spect to any such program in any fiscal year if the Cor-  
15          poration determines that such a waiver would be equitable  
16          due to a lack of available financial resources at the local  
17          level.

18       **“SEC. 116A. LIMITATIONS ON USES OF FUNDS.**

19           “(a) ADMINISTRATIVE COSTS.—

20                   “(1) LIMITATION.—Not more than 5 percent of  
21                   the amount of assistance provided to a State edu-  
22                   cational agency, Indian tribe, or grantmaking entity  
23                   that is the original recipient of a grant or allotment  
24                   under subsection (a), (b), (c), or (d) of section 112

1 for a fiscal year may be used to pay for administra-  
2 tive costs incurred by—

3 “(A) the original recipient; or

4 “(B) the entity carrying out the service-  
5 learning programs supported with the assist-  
6 ance.

7 “(2) RULES ON USE.—The Chairperson may by  
8 rule prescribe the manner and extent to which—

9 “(A) such assistance may be used to cover  
10 administrative costs; and

11 “(B) that portion of the assistance avail-  
12 able to cover administrative costs should be dis-  
13 tributed between—

14 “(i) the original recipient; and

15 “(ii) the entity carrying out the serv-  
16 ice-learning programs supported with the  
17 assistance.

18 “(b) CAPACITY-BUILDING ACTIVITIES.—Not less  
19 than 10 percent and not more than 15 percent of the  
20 amount of assistance provided to a State educational  
21 agency or Indian tribe that is the original recipient of a  
22 grant or allotment under subsection (a), (b), (c), or (d)  
23 of section 112 for a fiscal year may be used to build capac-  
24 ity through training, technical assistance, curriculum de-

1 velopment, and coordination activities, described in section  
2 111(a)(1).

3 “(c) LOCAL USES OF FUNDS.—Funds made available  
4 under this subpart may not be used to pay any stipend,  
5 allowance, or other financial support to any student who  
6 is a participant under this subtitle, except reimbursement  
7 for transportation, meals, and other reasonable out-of-  
8 pocket expenses directly related to participation in a pro-  
9 gram assisted under this subpart.

10 **“SEC. 116B. DEFINITIONS.**

11 “As used in this subpart:

12 “(1) GRANTMAKING ENTITY.—The term  
13 ‘grantmaking entity’ means an organization de-  
14 scribed in section 111B(a).

15 “(2) SCHOOL-BASED.—The term ‘school-based’  
16 means based in an elementary school or a secondary  
17 school.

18 “(3) STUDENT.—Notwithstanding section  
19 101(28), the term ‘student’ means an individual who  
20 is enrolled in an elementary or secondary school on  
21 a full- or part-time basis.

22 **“Subpart B—Community-Based Service Programs for**  
23 **School-Age Youth**

24 **“SEC. 117. DEFINITIONS.**

25 “As used in this subpart:

1 “(1) COMMUNITY-BASED SERVICE PROGRAM.—

2 The term ‘community-based service program’ means  
3 a program described in section 117A(b)(1)(A).

4 “(2) GRANTMAKING ENTITY.—The term  
5 ‘grantmaking entity’ means a qualified organization  
6 that—

7 “(A) submits an application under section  
8 117C(a) to make grants to qualified organiza-  
9 tions; and

10 “(B) was in existence 1 year before the  
11 date on which the organization submitted the  
12 application.

13 “(3) QUALIFIED ORGANIZATION.—The term  
14 ‘qualified organization’ means a public or private  
15 nonprofit organization with experience working with  
16 school-age youth that meets such criteria as the  
17 Chairperson may establish.

18 **“SEC. 117A. GENERAL AUTHORITY.**

19 “(a) GRANTS.—From the funds appropriated to  
20 carry out this subpart for a fiscal year, the Corporation  
21 may make grants to State Commissions, grantmaking en-  
22 tities, and qualified organizations to pay for the Federal  
23 share of the implementation, operation, expansion, or rep-  
24 lication of community-based service programs.

25 “(b) USE OF FUNDS.—

1           “(1) STATE COMMISSIONS AND GRANTMAKING  
2 ENTITIES.—A State Commission or grantmaking en-  
3 tity may use a grant made under subsection (a)—

4                   “(A) to make a grant to a qualified organi-  
5 zation to implement, operate, expand, or rep-  
6 licate a community-based service-learning pro-  
7 gram that provides for meaningful human, edu-  
8 cational, environmental, or public safety service  
9 by participants, who shall be school-age youth;  
10 or

11                   “(B) to provide training and technical as-  
12 sistance to such an organization.

13           “(2) QUALIFIED ORGANIZATIONS.—A qualified  
14 organization, other than a grantmaking entity, may  
15 use a grant made under subsection (a) to implement,  
16 operate, expand, or replicate a program described in  
17 paragraph (1)(A).

18 **“SEC. 117B. STATE APPLICATIONS.**

19           “(a) IN GENERAL.—To be eligible to receive a grant  
20 under section 117A(a), a State Commission shall prepare,  
21 submit to the Corporation, and obtain approval of, an ap-  
22 plication.

23           “(b) SUBMISSION.—Such application shall be submit-  
24 ted to the Corporation at such time and in such manner,

1 and shall contain such information, as the Chairperson  
2 may reasonably require.

3 “(c) CONTENTS.—Such an application shall include,  
4 at a minimum, a State plan that contains the descriptions,  
5 proposals, and assurance described in section 117C(d)  
6 with respect to each community-based service program  
7 proposed to be carried out through funding distributed by  
8 the State Commission under this subpart.

9 **“SEC. 117C. LOCAL APPLICATIONS.**

10 “(a) APPLICATION TO CORPORATION TO MAKE  
11 GRANTS FOR COMMUNITY-BASED SERVICE PROGRAMS.—  
12 To be eligible to receive a grant from the Corporation  
13 under section 117A(a) to make grants under section  
14 117A(b)(1), a grantmaking entity shall prepare, submit  
15 to the Corporation, and obtain approval of, an application  
16 that proposes a community-based service program to be  
17 carried out through grants made to qualified organiza-  
18 tions. Such application shall be submitted at such time  
19 and in such manner, and shall contain such information,  
20 as the Chairperson may reasonably require.

21 “(b) DIRECT APPLICATION TO CORPORATION TO  
22 CARRY OUT COMMUNITY-BASED SERVICE PROGRAMS.—  
23 To be eligible to receive a grant from the Corporation  
24 under section 117A(a) to implement, operate, expand, or  
25 replicate a community service program, a qualified organi-

1 zation shall prepare, submit to the Corporation, and ob-  
2 tain approval of, an application that proposes a commu-  
3 nity-based service program to be carried out at multiple  
4 sites, or that proposes an innovative community-based  
5 service program. Such application shall be submitted at  
6 such time and in such manner, and shall contain such in-  
7 formation, as the Chairperson may reasonably require.

8 “(c) APPLICATION TO STATE COMMISSION OR  
9 GRANTMAKING ENTITY TO RECEIVE GRANTS TO CARRY  
10 OUT COMMUNITY-BASED SERVICE PROGRAMS.—To be el-  
11 igible to receive a grant from a State Commission or  
12 grantmaking entity under section 117A(b)(1), a qualified  
13 organization shall prepare, submit to the Commission or  
14 entity, and obtain approval of, an application. Such appli-  
15 cation shall be submitted at such time and in such man-  
16 ner, and shall contain such information, as the Commis-  
17 sion or entity may reasonably require.

18 “(d) REQUIREMENTS OF APPLICATION.—An applica-  
19 tion submitted under subsection (a), (b), or (c) shall, at  
20 a minimum, contain—

21 “(1) a description of any community-based  
22 service program proposed to be implemented, oper-  
23 ated, expanded, or replicated directly by the appli-  
24 cant using assistance provided under this subpart;

1           “(2) a description of any grant program pro-  
2       posed to be conducted by the applicant with assist-  
3       ance provided under this subpart to support a com-  
4       munity-based service program;

5           “(3) a proposal for carrying out the commu-  
6       nity-based service program that describes the man-  
7       ner in which the entity carrying out the program  
8       will—

9           “(A) provide preservice and inservice train-  
10       ing, for supervisors and participants, that will  
11       be conducted by qualified individuals, or quali-  
12       fied organizations, that have experience in com-  
13       munity-based service programs;

14          “(B) include economically disadvantaged  
15       individuals as participants in the program pro-  
16       posed by the applicant;

17          “(C) provide an age-appropriate service-  
18       learning component described in section  
19       114(d)(5)(B);

20          “(D) conduct an appropriate evaluation of  
21       the program;

22          “(E) provide for appropriate community  
23       involvement in the program;

24          “(F) provide service experiences that pro-  
25       mote leadership abilities among participants in



1 the program, including experiences that involve  
2 such participants in program design;

3 “(G) involve participants in projects ap-  
4 proved by community-based agencies;

5 “(H) establish and measure progress to-  
6 ward the goals of the program; and

7 “(I) organize participants in the program  
8 into teams, if appropriate, with team leaders  
9 who may be participants in a program under  
10 subtitle C or individuals who receive a national  
11 service educational award under subtitle D; and

12 “(4) an assurance that the entity carrying out  
13 the program proposed by the applicant will comply  
14 with the nonduplication and nondisplacement provi-  
15 sions of section 177 and grievance procedure re-  
16 quirements of section 176(f).

17 **“SEC. 117D. CONSIDERATION OF APPLICATIONS.**

18 “(a) APPLICATION OF CRITERIA.—The Corporation  
19 shall apply the criteria described in subsection (b) in de-  
20 termining whether to approve an application submitted  
21 under section 117B or under subsection (a) or (b) of sec-  
22 tion 117C and to provide assistance under section 117A  
23 to the applicant on the basis of the application.

24 “(b) ASSISTANCE CRITERIA.—In evaluating such an  
25 application with respect to a program under this subpart,

1 the Corporation shall consider the criteria established for  
2 national service programs under section 133(c).

3 “(c) APPLICATION TO SUBGRANTS.—A State Com-  
4 mission or grantmaking entity shall apply the criteria de-  
5 scribed in subsection (b) in determining whether to ap-  
6 prove an application under section 117C(c) and to make  
7 a grant under section 117A(b)(1) to the applicant on the  
8 basis of the application.

9 **“SEC. 117E. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.**

10 “(a) FEDERAL SHARE.—

11 “(1) IN GENERAL.—The Federal share attrib-  
12 utable to this subpart of the cost of carrying out a  
13 program for which a grant is made under this sub-  
14 part may not exceed the percentage specified in sub-  
15 paragraph (A), (B), (C), or (D) of section 116(a)(1),  
16 as appropriate.

17 “(2) CALCULATION.—Each recipient of assist-  
18 ance under this subpart shall comply with section  
19 116(a)(2).

20 “(b) WAIVER.—The Chairperson may waive the re-  
21 quirements of subsection (a), in whole or in part, as pro-  
22 vided in section 116(b).

23 **“SEC. 117F. LIMITATIONS ON USES OF FUNDS.**

24 “(a) ADMINISTRATIVE COSTS.—Not more than 5 per-  
25 cent of the amount of assistance provided to a State Com-

1 mission, grantmaking entity, or qualified organization that  
 2 is the original recipient of a grant under section 117A(a)  
 3 for a fiscal year may be used to pay for administrative  
 4 costs incurred by—

5 “(1) the original recipient; or

6 “(2) the entity carrying out the community-  
 7 based service programs supported with the assist-  
 8 ance.

9 “(b) RULES ON USE.—The Chairperson may by rule  
 10 prescribe the manner and extent to which—

11 “(1) such assistance may be used to cover ad-  
 12 ministrative costs; and

13 “(2) that portion of the assistance available to  
 14 cover administrative costs should be distributed be-  
 15 tween—

16 “(A) the original recipient; and

17 “(B) the entity carrying out the commu-  
 18 nity-based service programs supported with the  
 19 assistance.

## 20 **“Subpart C—Clearinghouse**

### 21 **“SEC. 118. SERVICE-LEARNING CLEARINGHOUSE.**

22 “(a) IN GENERAL.—The Corporation shall provide fi-  
 23 nancial assistance, from funds appropriated to carry out  
 24 subtitle H, to agencies described in subsection (b) to es-  
 25 tablish a clearinghouse, which shall carry out activities,

1 either directly or by arrangement with another such entity,  
2 with respect to information about service-learning.

3 “(b) PUBLIC AND PRIVATE NONPROFIT AGENCIES.—  
4 Public and private nonprofit agencies that have extensive  
5 experience with service-learning, including use of adult vol-  
6 unteers to foster service-learning, shall be eligible to re-  
7 ceive assistance under subsection (a).

8 “(c) FUNCTION OF CLEARINGHOUSE.—An entity  
9 that receives assistance under subsection (a) may—

10 “(1) assist entities carrying out State or local  
11 service-learning programs with needs assessments  
12 and planning;

13 “(2) conduct research and evaluations concern-  
14 ing service-learning;

15 “(3)(A) provide leadership development and  
16 training to State and local service-learning program  
17 administrators, supervisors, service sponsors, and  
18 participants; and

19 “(B) provide training to persons who can pro-  
20 vide the leadership development and training de-  
21 scribed in subparagraph (A);

22 “(4) facilitate communication among entities  
23 carrying out service-learning programs and partici-  
24 pants in such programs;

1           “(5) provide information, curriculum materials,  
2           and technical assistance relating to planning and op-  
3           eration of service-learning programs, to States and  
4           local entities eligible to receive financial assistance  
5           under this title;

6           “(6) provide information regarding methods to  
7           make service-learning programs accessible to individ-  
8           uals with disabilities;

9           “(7)(A) gather and disseminate information on  
10          successful service-learning programs, components of  
11          such successful programs, innovative youth skills  
12          curricula related to service-learning, and service-  
13          learning projects; and

14          “(B) coordinate the activities of the Clearing-  
15          house with appropriate entities to avoid duplication  
16          of effort;

17          “(8) make recommendations to State and local  
18          entities on quality controls to improve the quality of  
19          service-learning programs;

20          “(9) assist organizations in recruiting, screen-  
21          ing, and placing service-learning coordinators; and

22          “(10) carry out such other activities as the  
23          Chairperson determines to be appropriate.”.

24          (b) HIGHER EDUCATION INNOVATIVE PROJECTS.—  
25          Subtitle B of title I of the National and Community Serv-

1 ice Act of 1990 (42 U.S.C. 12531 et seq.) is amended  
2 by striking part II and inserting the following:

3 **“PART II—HIGHER EDUCATION INNOVATIVE**

4 **PROGRAMS FOR COMMUNITY SERVICE**

5 **“SEC. 119. HIGHER EDUCATION INNOVATIVE PROGRAMS**  
6 **FOR COMMUNITY SERVICE.**

7 “(a) PURPOSE.—It is the purpose of this part to ex-  
8 pand participation in community service by supporting in-  
9 novative community service programs carried out through  
10 institutions of higher education, acting as civic institutions  
11 to meet the human, educational, environmental, or public  
12 safety needs of neighboring communities.

13 “(b) GENERAL AUTHORITY.—The Corporation, in  
14 consultation with the Secretary of Education, is author-  
15 ized to make grants to, and enter into contracts with, in-  
16 stitutions of higher education (including a combination of  
17 such institutions), and partnerships comprised of such in-  
18 stitutions and of other public agencies or nonprofit private  
19 organizations, to pay for the Federal share of the cost of—

20 “(1) enabling such an institution or partnership  
21 to create or expand an organized community service  
22 program that—

23 “(A) engenders a sense of social respon-  
24 sibility and commitment to the community in  
25 which the institution is located; and

1           “(B) provides projects for participants,  
2           who shall be students, faculty, administration,  
3           or staff of the institution, or residents of the  
4           community;

5           “(2) supporting student-initiated and student-  
6           designed community service projects through the  
7           program;

8           “(3) facilitating the integration of community  
9           service carried out under the program into academic  
10          curricula, including integration of clinical programs  
11          into the curriculum for students in professional  
12          schools, so that students can obtain credit for their  
13          community service projects;

14          “(4) supplementing the funds available to carry  
15          out work-study programs under part C of title IV of  
16          the Higher Education Act of 1965 (42 U.S.C. 2751  
17          et seq.) to support service-learning and community  
18          service through the community service program;

19          “(5) strengthening the service infrastructure  
20          within institutions of higher education in the United  
21          States through the program; and

22          “(6) providing for the training of teachers, pro-  
23          spective teachers, related education personnel, and  
24          community leaders in the skills necessary to develop,  
25          supervise, and organize service-learning.

1 “(c) FEDERAL SHARE.—

2 “(1) SHARE.—

3 “(A) IN GENERAL.—The Federal share of  
4 the cost of carrying out a community service  
5 project for which a grant or contract is awarded  
6 under this part may not exceed 50 percent.

7 “(B) CALCULATION.—Each recipient of as-  
8 sistance under this part shall comply with sec-  
9 tion 116(a)(2).

10 “(2) WAIVER.—The Chairperson may waive the  
11 requirements of paragraph (1), in whole or in part,  
12 as provided in section 116(b).

13 “(d) APPLICATION FOR GRANT.—

14 “(1) SUBMISSION.—To receive a grant or enter  
15 into a contract under this part, an institution or  
16 partnership described in subsection (b) shall pre-  
17 pare, submit to the Corporation, and obtain approval  
18 of, an application at such time and in such manner  
19 as the Chairperson may reasonably require.

20 “(2) CONTENTS.—An application submitted  
21 under paragraph (1) shall contain—

22 “(A) such information as the Chairperson  
23 may reasonably require, such as a description  
24 of—



1           “(i) the proposed program to be es-  
2           tablished with assistance provided under  
3           the grant or contract;

4           “(ii) the human, educational, environ-  
5           mental, or public safety service that par-  
6           ticipants will perform and the community  
7           need that will be addressed under such  
8           program;

9           “(iii) whether or not students will re-  
10          ceive academic credit for community serv-  
11          ice projects under the program;

12          “(iv) the procedure for training super-  
13          visors and participants and for supervising  
14          and organizing participants in such pro-  
15          gram;

16          “(v) the procedures to ensure that the  
17          program includes the age-appropriate  
18          learning component described in section  
19          114(d)(5)(B);

20          “(vi) the roles played by students and  
21          community members, including service re-  
22          cipients, in the design and implementation  
23          of the program; and

24          “(vii) the budget for the program;

25          “(B) assurances that—

1           “(i) prior to the placement of a partic-  
2           ipant, the applicant will consult with any  
3           local labor organization representing em-  
4           ployees in the area who are engaged in the  
5           same or similar work as that proposed to  
6           be carried out by such program, to prevent  
7           the displacement and protect the rights of  
8           such employees; and

9           “(ii) the applicant will comply with  
10          the nonduplication and nondisplacement  
11          provisions of section 177 and grievance  
12          procedure requirements of section 176(f);  
13          and

14          “(C) such other assurances as the Chair-  
15          person may reasonably require.

16          “(e) PRIORITY.—

17               “(1) IN GENERAL.—In making grants and en-  
18               tering into contracts under subsection (b), the Cor-  
19               poration shall give priority to applicants that submit  
20               applications containing proposals that—

21                   “(A) demonstrate the commitment of the  
22                   institution of higher education, other than by  
23                   demonstrating the commitment of the students,  
24                   to supporting the community service projects  
25                   carried out under the program;

1           “(B) specify the manner in which the insti-  
2           tution will promote faculty, administration, and  
3           staff participation in the community service  
4           projects;

5           “(C) specify the manner in which the insti-  
6           tution will provide service to the community  
7           through organized programs, including, where  
8           appropriate, clinical programs for students in  
9           professional schools;

10          “(D) describe any partnership that will  
11          participate in the community service projects,  
12          such as a partnership comprised of—

13               “(i) the institution;

14               “(ii) (I) a community-based agency;

15               “(II) a local government agency; or

16               “(III) a nonprofit entity that serves or  
17               involves school-age youth or older adults;  
18               and

19               “(iii) a student organization;

20          “(E) demonstrate community involvement  
21          in the development of the proposal;

22          “(F) specify that the institution will use  
23          such assistance to strengthen the service infra-  
24          structure in institutions of higher education; or

1           “(G) with respect to projects involving de-  
2           livery of service, specify projects that involve  
3           leadership development of school-age youth.

4           “(2) DETERMINATION.—In giving priority to  
5           applicants under paragraph (1), the Corporation  
6           shall give increased priority to such an applicant for  
7           each characteristic described in subparagraphs (A)  
8           through (G) of paragraph (1) that is reflected in the  
9           application submitted by the applicant.

10          “(f) NATIONAL SERVICE EDUCATIONAL AWARD.—A  
11         participant in a program funded under this part shall be  
12         eligible for the national service educational award de-  
13         scribed in subtitle D, if the participant served in an ap-  
14         proved national service position.

15          “(g) DEFINITION.—Notwithstanding section  
16         101(28), as used in this part, the term ‘student’ means  
17         an individual who is enrolled in an institution of higher  
18         education on a full- or part-time basis.

19                 **“PART III—GENERAL PROVISIONS**

20         **“SEC. 120. AVAILABILITY OF APPROPRIATIONS.**

21                 “Of the aggregate amount appropriated to carry out  
22         this subtitle for each fiscal year—

23                 “(1) a sum equal to 75 percent of such aggre-  
24         gate amount shall be available to carry out part I,  
25         of which—

1           “(A) 85 percent of such sum shall be avail-  
2           able to carry out subpart A; and

3           “(B) 15 percent of such sum shall be avail-  
4           able to carry out subpart B; and

5           “(2) a sum equal to 25 percent of such aggre-  
6           gate amount shall be available to carry out part II.”.

7           (c) TABLE OF CONTENTS.—Section 1(b) of the Na-  
8           tional and Community Service Act of 1990 (Public Law  
9           101–610; 104 Stat. 3127) is amended by striking the  
10          items relating to subtitle B of title I of such Act and in-  
11          serting the following:

          “Subtitle B—School-Based and Community-Based Service-Learning Programs

                  “PART I—SERVE-AMERICA PROGRAMS

                          “SUBPART A—SCHOOL-BASED PROGRAMS FOR STUDENTS

          “Sec. 111. Authority to assist States and Indian tribes.

          “Sec. 111A. Authority to assist local applicants in nonparticipating States.

          “Sec. 111B. Authority to assist public or private nonprofit organizations.

          “Sec. 112. Grants and allotments.

          “Sec. 113. State or tribal applications.

          “Sec. 114. Local applications.

          “Sec. 115. Consideration of applications.

          “Sec. 115A. Participation of students and teachers from private schools.

          “Sec. 116. Federal, State, and local contributions.

          “Sec. 116A. Limitations on uses of funds.

          “Sec. 116B. Definitions.

                  “SUBPART B—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE  
                          YOUTH

          “Sec. 117. Definitions.

          “Sec. 117A. General authority.

          “Sec. 117B. State applications.

          “Sec. 117C. Local applications.

          “Sec. 117D. Consideration of applications.

          “Sec. 117E. Federal, State, and local contributions.

          “Sec. 117F. Limitations on uses of funds.

                  “SUBPART C—CLEARINGHOUSE

          “Sec. 118. Service-learning clearinghouse.

“PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY  
SERVICE

“Sec. 119. Higher education innovative programs for community service.

“PART III—GENERAL PROVISIONS

“Sec. 120. Availability of appropriations.”.

1 **SEC. 104. QUALITY AND INNOVATION ACTIVITIES.**

2 (a) REPEAL.—Subtitle E of title I of the National  
3 and Community Service Act of 1990 (42 U.S.C. 12591  
4 et seq.) is repealed.

5 (b) TRANSFER.—Title I of the National and Commu-  
6 nity Service Act of 1990 (42 U.S.C. 12501 et seq.) is  
7 amended—

8 (1) by redesignating subtitle H (42 U.S.C.  
9 12653 et seq.) as subtitle E;

10 (2) by inserting subtitle E (as redesignated by  
11 paragraph (1) of this subsection) after subtitle D;  
12 and

13 (3) by redesignating sections 195 through 195O  
14 as sections 151 through 166, respectively.

15 (c) INVESTMENT FOR QUALITY AND INNOVATION.—  
16 Title I of the National and Community Service Act of  
17 1990 is further amended by adding before subtitle I (as  
18 transferred by section 101(a) of this Act) the following  
19 new subtitle:

1           **“Subtitle H—Investment for**  
2                   **Quality and Innovation**

3   **“SEC. 198. ADDITIONAL CORPORATION ACTIVITIES TO SUP-**  
4                   **PORT NATIONAL SERVICE.**

5           “(a) METHODS OF CONDUCTING ACTIVITIES.—The  
6 Corporation may carry out this section directly or through  
7 grants, contracts, and cooperative agreements with other  
8 entities.

9           “(b) INNOVATION AND QUALITY IMPROVEMENT.—

10           “(1) ACTIVITIES.—The Corporation may under-  
11 take activities to improve the quality of national  
12 service programs and to support innovative and  
13 model programs, including—

14                   “(A) programs under subtitle B or C for  
15 rural youth;

16                   “(B) employer-based retiree programs;

17                   “(C) intergenerational programs;

18                   “(D) programs involving and integrating  
19 individuals with disabilities as participants pro-  
20 viding service; and

21                   “(E) programs sponsored by Governors.

22           “(2) INTERGENERATIONAL PROGRAM.—An  
23 intergenerational program referred to in paragraph  
24 (1)(C) may include a program in which older adults

1 provide services to children who participate in Head  
2 Start programs.

3 “(c) SUMMER PROGRAMS.—The Corporation may  
4 support service programs intended to be carried out be-  
5 tween May 1 and October 1, except that such a program  
6 may also include a year-round component.

7 “(d) COMMUNITY-BASED AGENCIES.—The Corpora-  
8 tion may provide training and technical assistance and  
9 other assistance to service sponsors and other community-  
10 based agencies that provide volunteer placements in order  
11 to improve the ability of such agencies to use participants  
12 and other volunteers in a manner that results in high-qual-  
13 ity service and a positive service experience for the partici-  
14 pants and volunteers.

15 “(e) IMPROVE ABILITY TO APPLY FOR ASSIST-  
16 ANCE.—The Corporation shall provide training and tech-  
17 nical assistance to individuals, programs, local labor orga-  
18 nizations, State educational agencies, State commissions,  
19 local educational agencies, local governments, community-  
20 based agencies, and other entities to enable them to apply  
21 for funding under one of the national service laws, to con-  
22 duct high-quality programs, to evaluate such programs,  
23 and for other purposes.

24 “(f) NATIONAL SERVICE FELLOWSHIPS.—The Cor-  
25 poration may award national service fellowships.



1       “(g) CONFERENCES AND MATERIALS.—The Corpora-  
2 tion may organize and hold conferences, and prepare and  
3 publish materials, to disseminate information and promote  
4 the sharing of information among programs for the pur-  
5 pose of improving the quality of programs and projects.

6       “(h) PEACE CORPS AND VISTA TRAINING.—The  
7 Corporation may provide training assistance to selected in-  
8 dividuals who volunteer to serve in the Peace Corps or a  
9 program authorized under title I of the Domestic Volun-  
10 teer Service Act of 1973 (42 U.S.C. 4951 et seq.). The  
11 training shall be provided as part of the course of study  
12 of the individual at an institution of higher education,  
13 shall involve service-learning, and shall cover appropriate  
14 skills that the individual will use in the Peace Corps or  
15 VISTA.

16       “(i) PROMOTION AND RECRUITMENT.—The Corpora-  
17 tion may conduct a campaign to solicit funds for the Na-  
18 tional Service Trust and other programs and activities au-  
19 thorized under the national service laws and to promote  
20 and recruit participants for programs that receive assist-  
21 ance under the national service laws.

22       “(j) TRAINING.—The Corporation may support na-  
23 tional and regional participant and supervisor training, in-  
24 cluding leadership training and training in specific types  
25 of service and in building the ethic of civic responsibility.

1       “(k) RESEARCH.—The Corporation may support re-  
2 search on national service, including service-learning.

3       “(l) INTERGENERATIONAL SUPPORT.—The Corpora-  
4 tion may assist programs in developing a service compo-  
5 nent that combines students, out-of-school youths, and  
6 older adults as participants to provide needed community  
7 services.

8       “(m) PLANNING COORDINATION.—The Corporation  
9 may coordinate community-wide planning among pro-  
10 grams and projects.

11       “(n) YOUTH LEADERSHIP.—The Corporation may  
12 support activities to enhance the ability of youth and  
13 young adults to play leadership roles in national service.

14       “(o) NATIONAL PROGRAM IDENTITY.—The Corpora-  
15 tion may support the development and dissemination of  
16 materials, including training materials, and arrange for  
17 uniforms and insignia, designed to promote unity and  
18 shared features among programs that receive assistance  
19 under the national service laws.

20       “(p) SERVICE-LEARNING.—The Corporation shall  
21 support innovative programs and activities that promote  
22 service-learning.

23       **“SEC. 198A. CLEARINGHOUSES.**

24       “(a) ASSISTANCE.—The Corporation shall provide as-  
25 sistance to appropriate entities to establish one or more

1 clearinghouses, including the clearinghouse described in  
2 section 118.

3 “(b) APPLICATION.—To be eligible to receive assist-  
4 ance under subsection (a), an entity shall submit an appli-  
5 cation to the Corporation at such time, in such manner,  
6 and containing such information as the Corporation may  
7 require.

8 “(c) FUNCTION OF CLEARINGHOUSES.—An entity  
9 that receives assistance under subsection (a) may—

10 “(1) assist entities carrying out State or local  
11 community service programs with needs assessments  
12 and planning;

13 “(2) conduct research and evaluations concern-  
14 ing community service;

15 “(3)(A) provide leadership development and  
16 training to State and local community service pro-  
17 gram administrators, supervisors, and participants;  
18 and

19 “(B) provide training to persons who can pro-  
20 vide the leadership development and training de-  
21 scribed in subparagraph (A);

22 “(4) facilitate communication among entities  
23 carrying out community service programs and par-  
24 ticipants;

1           “(5) provide information, curriculum materials,  
2           technical assistance relating to planning and oper-  
3           ation of community service programs, to States and  
4           local entities eligible to receive funds under this title;

5           “(6)(A) gather and disseminate information on  
6           successful community service programs, components  
7           of such successful programs, innovative youth skills  
8           curriculum, and community service projects; and

9           “(B) coordinate the activities of the clearing-  
10          house with appropriate entities to avoid duplication  
11          of effort;

12          “(7) make recommendations to State and local  
13          entities on quality controls to improve the delivery of  
14          community service programs and on changes in the  
15          programs under this title; and

16          “(8) carry out such other activities as the  
17          Chairperson determines to be appropriate.

18   **“SEC. 198B. PRESIDENTIAL AWARDS FOR SERVICE.**

19          “(a) PRESIDENTIAL AWARDS.—

20               “(1) IN GENERAL.—The President, acting  
21               through the Corporation, may make Presidential  
22               awards for service to individuals providing signifi-  
23               cant service, and to outstanding service programs.

24               “(2) INDIVIDUALS AND PROGRAMS.—Notwith-  
25               standing section 101(17)—

1           “(A) an individual receiving an award  
2           under this subsection need not be a participant  
3           in a program authorized under this Act; and

4           “(B) a program receiving an award under  
5           this subsection need not be a program author-  
6           ized under this Act.

7           “(3) NATURE OF AWARD.—In making an award  
8           under this section to an individual or program, the  
9           President, acting through the Corporation—

10           “(A) is authorized to incur necessary ex-  
11           penses for the honorary recognition of the indi-  
12           vidual or program; and

13           “(B) is not authorized to make a cash  
14           award to such individual or program.

15           “(b) INFORMATION.—The President, acting through  
16           the Corporation, shall ensure that information concerning  
17           individuals and programs receiving awards under this sec-  
18           tion is widely disseminated.

19           **“SEC. 198C. ASSISTANCE FOR HEAD START.**

20           “Under section 198, the Corporation may make  
21           grants to, and contracts and cooperative agreements with,  
22           public and nonprofit private agencies and organizations  
23           that receive grants and contracts under the Foster Grand-  
24           parent Program (part B of title II of the Domestic Volun-  
25           teer Service Act of 1973), for projects of the type de-

1 scribed in section 211(a) of such Act operating under  
 2 memoranda of agreement with the ACTION Agency, for  
 3 the purpose of increasing the number of low-income indi-  
 4 viduals who provide services under such program to chil-  
 5 dren who participate in Head Start programs.”.

6 (d) TABLE OF CONTENTS.—

7 (1) CIVILIAN COMMUNITY CORPS.—Section 1(b)  
 8 of the National and Community Service Act of 1990  
 9 (Public Law 101–610; 104 Stat. 3127) is amended  
 10 by striking the items relating to subtitle E of title  
 11 I of such Act and inserting the following:

“Subtitle E—Civilian Community Corps

“Sec. 151. Purpose.

“Sec. 152. Establishment of Civilian Community Corps Demonstration Pro-  
 gram.

“Sec. 153. National service program.

“Sec. 154. Summer national service program.

“Sec. 155. Civilian Community Corps.

“Sec. 156. Training.

“Sec. 157. Service projects.

“Sec. 158. Authorized benefits for Corps members.

“Sec. 159. Administrative provisions.

“Sec. 160. Status of Corps members and Corps personnel under Federal law.

“Sec. 161. Contract and grant authority.

“Sec. 162. Responsibilities of other departments.

“Sec. 163. Advisory board.

“Sec. 164. Annual evaluation.

“Sec. 165. Funding limitation.

“Sec. 166. Definitions.”.

12 (2) QUALITY AND INNOVATION.—Section 1(b)  
 13 of the National and Community Service Act of 1990  
 14 (Public Law 101–610; 104 Stat. 3127) is amended  
 15 by striking the items relating to subtitle H of title  
 16 I of such Act and inserting the following:

“Subtitle H—Investment for Quality and Innovation

“Sec. 198. Additional corporation activities to support national service.

“Sec. 198A. Clearinghouses.

“Sec. 198B. Presidential awards for service.

“Sec. 198C. Assistance for Head Start.”.

1 (e) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) NATIONAL DEFENSE AUTHORIZATION ACT

3 FOR FISCAL YEAR 1993.—

4 (A) Section 1091(f)(2) of the National De-  
5 fense Authorization Act for Fiscal Year 1993  
6 (Public Law 102–484) is amended by striking  
7 “195G” and inserting “158”.

8 (B) Paragraphs (1) and (2) of section  
9 1092(b), and sections 1092(c), 1093(a), and  
10 1094(a) of such Act are amended by striking  
11 “195A” and inserting “152”.

12 (C) Sections 1091(f)(2), 1092(b)(1), and  
13 1094(a), and subsections (a) and (c) of section  
14 1095 of such Act are amended by striking  
15 “subtitle H” and inserting “subtitle E”.

16 (D) Section 1094(b)(1) and subsections (b)  
17 and (c)(1) of section 1095 of such Act are  
18 amended by striking “subtitles B, C, D, E, F,  
19 and G” and inserting “subtitles B, C, D, F, G,  
20 and H”.

21 (2) NATIONAL AND COMMUNITY SERVICE ACT

22 OF 1990.—

1 (A) Section 153(a) of the National and  
2 Community Service Act of 1990 (as redesign-  
3 nated in subsection (b)(3) of this section) (42  
4 U.S.C. 12653b(a)) is amended by striking  
5 “195A(a)” and inserting “152(a)”.

6 (B) Section 154(a) of such Act (as redesign-  
7 nated in subsection (b)(3) of this section) (42  
8 U.S.C. 12653c(a)) is amended by striking  
9 “195A(a)” and inserting “152(a)”.

10 (C) Section 155 of such Act (as redesign-  
11 nated in subsection (b)(3) of this section) (42  
12 U.S.C. 12653d) is amended—

13 (i) in subsection (a), by striking  
14 “195H(c)(1)” and inserting “159(c)(1)”;

15 (ii) in subsection (c)(2), by striking  
16 “195H(c)(2)” and inserting “159(c)(2)”;  
17 and

18 (iii) in subsection (d)(3), by striking  
19 “195K(a)(3)” and inserting “162(a)(3)”.

20 (D) Section 156 of such Act (as redesign-  
21 nated in subsection (b)(3) of this section) (42  
22 U.S.C. 12653e) is amended—

23 (i) in subsection (c)(1), by striking  
24 “195H(c)(2)” and inserting “159(c)(2)”;  
25 and



1 (ii) in subsection (d), by striking  
2 “195K(a)(3)” and inserting “162(a)(3)”.

3 (E) Section 159 of such Act (as redesign-  
4 nated in subsection (b)(3) of this section) (42  
5 U.S.C. 12653h) is amended—

6 (i) in subsection (a)—

7 (I) by striking “195A” and in-  
8 serting “152”; and

9 (II) by striking “195” and in-  
10 serting “151”; and

11 (ii) in subsection (c)(2)(C)(i), by  
12 striking “195K(a)(2)” and inserting  
13 “162(a)(2)”.

14 (F) Section 161(b)(1)(B) of such Act (as  
15 redesignated in subsection (b)(3) of this sec-  
16 tion) (42 U.S.C. 12653j(b)(1)(B)) is amended  
17 by striking “195K(a)(3)” and inserting  
18 “162(a)(3)”.

19 (G) Section 162(a)(2)(A) of such Act (as  
20 redesignated in subsection (b)(3) of this sec-  
21 tion) (42 U.S.C. 12653k(a)(2)(A)) is amended  
22 by striking “195(3)” and inserting “151(3)”.

23 (H) Section 166 of such Act (as redesign-  
24 nated in subsection (b)(3) of this section) (42  
25 U.S.C. 12653o) is amended—

1 (i) in paragraph (2), by striking  
2 “195D” and inserting “155”;

3 (ii) in paragraph (8), by striking  
4 “195A” and inserting “152”;

5 (iii) in paragraph (10), by striking  
6 “195D(d)” and inserting “155(d)”; and

7 (iv) in paragraph (11), by striking  
8 “195D(c)” and inserting “155(c)”.

9 (f) EXTENSION OF AUTHORITY TO CONDUCT CIVIL-  
10 IAN COMMUNITY CORPS.—Section 1092(c) of the National  
11 Defense Authorization Act for Fiscal Year 1993 (Public  
12 Law 102–484; 106 Stat. 2534), as amended by subsection  
13 (e)(1) of this section, is further amended by adding at the  
14 end the following new sentence: “The amount made avail-  
15 able for the Civilian Community Corps Demonstration  
16 Program pursuant to this subsection shall remain avail-  
17 able for expenditure during fiscal years 1993 and 1994.”.

18 (g) ADDITIONAL AMENDMENT REGARDING CIVILIAN  
19 COMMUNITY CORPS.—Section 158 of the National and  
20 Community Service Act of 1990 (as redesignated in sub-  
21 section (b)(3) of this section) (42 U.S.C. 12653g) is  
22 amended by striking subsections (f), (g), and (h) and in-  
23 serting the following new subsections:

24 “(f) NATIONAL SERVICE EDUCATIONAL AWARDS.—  
25 A Corps member who successfully completes a period of

1 agreed service in the Corps may receive the national serv-  
 2 ice educational award described in subtitle D if the Corps  
 3 member—

4 “(1) serves in an approved national service po-  
 5 sition; and

6 “(2) satisfies the eligibility requirements speci-  
 7 fied in section 146 with respect to service in that ap-  
 8 proved national service position.

9 “(g) ALTERNATIVE BENEFIT.—If a Corps member  
 10 who successfully completes a period of agreed service in  
 11 the Corps is ineligible for the national service educational  
 12 award described in subtitle D, the Director may provide  
 13 for the provision of a suitable alternative benefit for the  
 14 Corps member.”.

15 **SEC. 105. PUBLIC LANDS CORPS.**

16 Public Law 91-378 (16 U.S.C. 1701-1706; com-  
 17 monly known as the Youth Conservation Corps Act of  
 18 1970) is amended—

19 (1) by inserting before section 1 the following:

20 **“TITLE I—YOUTH**  
 21 **CONSERVATION CORPS”;**

22 (2) by striking “Act” each place it appears and  
 23 inserting “title”;

24 (3) by redesignating sections 1 through 6 as  
 25 sections 101 through 106, respectively;

1 (4) in section 102 (as so redesignated), by in-  
2 serting “in this title” after “hereinafter” in sub-  
3 section (a);

4 (5) in section 104 (as so redesignated), by  
5 striking “section 6” in subsection (d) and inserting  
6 “section 106”; and

7 (6) by adding at the end the following new title:

8 **“TITLE II—PUBLIC LANDS**  
9 **CORPS**

10 **“SEC. 201. SHORT TITLE.**

11 “This title may be cited as the ‘Public Lands Corps  
12 Act of 1993’.

13 **“SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.**

14 “(a) FINDINGS.—The Congress finds the following:

15 “(1) Conserving or developing natural and cul-  
16 tural resources and enhancing and maintaining envi-  
17 ronmentally important lands and waters through the  
18 use of the Nation’s young men and women in a Pub-  
19 lic Lands Corps can benefit those men and women  
20 by providing them with education and work opportu-  
21 nities, furthering their understanding and apprecia-  
22 tion of the natural and cultural resources, and pro-  
23 viding a means to pay for higher education or to  
24 repay indebtedness they have incurred to obtain

1 higher education while at the same time benefiting  
2 the Nation's economy and its environment.

3 “(2) Many facilities and natural resources lo-  
4 cated on eligible service lands are in disrepair or de-  
5 graded and in need of labor intensive rehabilitation,  
6 restoration, and enhancement work which cannot be  
7 carried out by Federal agencies at existing personnel  
8 levels.

9 “(3) Youth conservation corps have established  
10 a good record of restoring and maintaining these  
11 kinds of facilities and resources in a cost effective  
12 and efficient manner, especially when they have  
13 worked in partnership arrangements with govern-  
14 ment land management agencies.

15 “(b) PURPOSE.—It is the purpose of this title to—

16 “(1) perform, in a cost-effective manner, appro-  
17 priate conservation projects on eligible service lands  
18 where such projects will not be performed by exist-  
19 ing employees;

20 “(2) assist governments and Indian tribes in  
21 performing research and public education tasks asso-  
22 ciated with natural and cultural resources on eligible  
23 service lands;

24 “(3) expose young men and women to public  
25 service while furthering their understanding and ap-

1       preciation of the nation's natural and cultural re-  
2       sources;

3           “(4) expand educational opportunities by re-  
4       warding individuals who participate in national serv-  
5       ice with an increased ability to pursue higher edu-  
6       cation or job training; and

7           “(5) stimulate interest among the nation's  
8       young men and women in conservation careers by  
9       exposing them to conservation professionals in land  
10      managing agencies.

11   **“SEC. 203. DEFINITIONS.**

12       “For purposes of this title:

13           “(1) The term ‘appropriate conservation  
14       project’ means any project for the conservation, res-  
15       toration, construction or rehabilitation of natural,  
16       cultural, historic, archaeological, recreational, or sce-  
17       nic resources.

18           “(2) The terms ‘Corps’ and ‘Public Lands  
19       Corps’ mean the Public Lands Corps established  
20       under section 204.

21           “(3) The term ‘eligible service lands’ means  
22       public lands, Indian lands, and Hawaiian home  
23       lands.

24           “(4) The term ‘Hawaiian home lands’ means all  
25       lands given the status of Hawaiian home lands

1 under section 204 of the Hawaiian Homes Commis-  
2 sion Act, 1920 (42 Stat. 110), or under the cor-  
3 responding provision of the Constitution of the State  
4 of Hawaii adopted under section 4 of the Act enti-  
5 tled ‘An Act to provide for the admission of the  
6 State of Hawaii into the Union’, approved March  
7 18, 1959 (Public Law 86–3; 73 Stat. 5).

8 “(5) The term ‘Indian tribe’ means an Indian  
9 tribe, band, nation, or other organized group or com-  
10 munity, including any Native village, Regional Cor-  
11 poration, or Village Corporation, as defined in sub-  
12 section (c), (g), or (j), respectively, of section 3 of  
13 the Alaska Native Claims Settlement Act (43 U.S.C.  
14 1602 (c), (g), or (j)), that is recognized as eligible  
15 for the special programs and services provided by  
16 the United States under Federal law to Indians be-  
17 cause of their status as Indians.

18 “(6) The term ‘Indian’ means a person who is  
19 a member of an Indian tribe.

20 “(7) The term ‘Indian lands’ means—

21 “(A) any Indian reservation;

22 “(B) any public domain Indian allotments;

23 “(C) any former Indian reservation in the  
24 State of Oklahoma;

1           “(D) any land held by incorporated Native  
2           groups, regional corporations, and village cor-  
3           porations under the Alaska Native Claims Set-  
4           tlement Act (43 U.S.C. 1701 et seq.); and

5           “(E) any land held by dependent Indian  
6           communities within the borders of the United  
7           States whether within the original or subse-  
8           quently acquired territory thereof, and whether  
9           within or without the limits of a State.

10          “(8) The term ‘public lands’ means any lands  
11          or waters (or interest therein) owned or adminis-  
12          tered by the United States, except that such term  
13          does not include any Indian lands.

14          “(9) The term ‘qualified youth or conservation  
15          corps’ means any program established by a State or  
16          local government, by the governing body of any In-  
17          dian tribe, or by a nonprofit organization that—

18               “(A) is capable of offering meaningful,  
19               full-time, productive work for individuals be-  
20               tween the ages of 16 and 25, inclusive, in a  
21               natural or cultural resource setting;

22               “(B) gives participants a mix of work ex-  
23               perience, basic and life skills, education, train-  
24               ing, and support services; and



1           “(C) provides participants with the oppor-  
2           tunity to develop citizenship values and skills  
3           through service to their community and the  
4           United States.

5           “(10) The term ‘resource assistant’ means a re-  
6           source assistant selected under section 206.

7           “(11) The term ‘State’ means any State of the  
8           United States, the District of Columbia, the Com-  
9           monwealth of Puerto Rico, Guam, the Virgin Islands  
10          of the United States, American Samoa, and the  
11          Commonwealth of the Northern Mariana Islands.

12   **“SEC. 204. PUBLIC LANDS CORPS PROGRAM.**

13          “(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—  
14   There is hereby established in the Department of the Inte-  
15   rior and the Department of Agriculture a Public Lands  
16   Corps.

17          “(b) PARTICIPANTS.—The Corps shall consist of indi-  
18   viduals between the ages of 16 and 25, inclusive, who are  
19   enrolled as participants in the Corps by the Secretary of  
20   the Interior or the Secretary of Agriculture. To be eligible  
21   for enrollment in the Corps, an individual shall satisfy the  
22   criteria specified in section 137(b) of the National and  
23   Community Service Act of 1990. The Secretaries may en-  
24   roll such individuals in the Corps without regard to the  
25   civil service and classification laws, rules, or regulations

1 of the United States. The Secretaries may establish a pref-  
2 erence for the enrollment in the Corps of individuals who  
3 are economically, physically, or educationally disadvan-  
4 tagged.

5 “(c) QUALIFIED YOUTH OR CONSERVATION  
6 CORPS.—The Secretary of the Interior and the Secretary  
7 of Agriculture are authorized to enter into contracts and  
8 cooperative agreements with any qualified youth or con-  
9 servation corps to perform appropriate conservation  
10 projects referred to in subsection (d).

11 “(d) PROJECTS TO BE CARRIED OUT.—The Sec-  
12 retary of the Interior and the Secretary of Agriculture  
13 may each utilize the Corps or any qualified youth or con-  
14 servation corps to carry out appropriate conservation  
15 projects which such Secretary is authorized to carry out  
16 under other authority of law on public lands. Appropriate  
17 conservation projects may also be carried out under this  
18 title on Indian lands with the approval of the Indian tribe  
19 involved and on Hawaiian home lands with the approval  
20 of the Department of Hawaiian Home Lands of the State  
21 of Hawaii. The Secretaries may also authorize appropriate  
22 conservation projects and other appropriate projects to be  
23 carried out on Federal, State, local, or private lands as  
24 part of disaster prevention or relief efforts in response to  
25 an emergency or major disaster declared by the President

1 under the Robert T. Stafford Disaster Relief and Emer-  
2 gency Assistance Act (42 U.S.C. 5121 et seq.).

3 “(e) PREFERENCE FOR CERTAIN PROJECTS.—In se-  
4 lecting appropriate conservation projects to be carried out  
5 under this title, the Secretary of the Interior and the Sec-  
6 retary of Agriculture shall give preference to those  
7 projects which—

8 “(1) will provide long-term benefits to the pub-  
9 lic;

10 “(2) will instill in the enrollee involved a work  
11 ethic and a sense of public service;

12 “(3) will be labor intensive;

13 “(4) can be planned and initiated promptly; and

14 “(5) will provide academic, experiential, or envi-  
15 ronmental education opportunities.

16 “(f) CONSISTENCY.—Each appropriate conservation  
17 project carried out under this title on eligible service lands  
18 shall be consistent with the provisions of law and policies  
19 relating to the management and administration of such  
20 lands, with all other applicable provisions of law, and with  
21 all management, operational, and other plans and docu-  
22 ments which govern the administration of the area.

23 **“SEC. 205. CONSERVATION CENTERS.**

24 “(a) ESTABLISHMENT AND USE.—The Secretary of  
25 the Interior and the Secretary of Agriculture are each au-

1 thorized to provide such quarters, board, medical care,  
2 transportation, and other services, facilities, supplies, and  
3 equipment as such Secretary deems necessary in connec-  
4 tion with the Public Lands Corps and appropriate con-  
5 servation projects carried out under this title and to estab-  
6 lish and use conservation centers owned and operated by  
7 such Secretary for purposes of the Corps and such  
8 projects. The Secretaries shall establish basic standards  
9 of health, nutrition, sanitation, and safety for all conserva-  
10 tion centers established under this section and shall assure  
11 that such standards are enforced. Where necessary or ap-  
12 propriate, the Secretaries may enter into contracts and  
13 other appropriate arrangements with State and local gov-  
14 ernment agencies and private organizations for the man-  
15 agement of such conservation centers.

16       “(b) LOGISTICAL SUPPORT.—The Secretary of the  
17 Interior and the Secretary of Agriculture may make ar-  
18 rangements with the Secretary of Defense to have  
19 logistical support provided by the Armed Forces to the  
20 Corps and any conservation center established under this  
21 section, where feasible. Logistical support may include the  
22 provision of temporary tent shelters where needed, trans-  
23 portation, and residential supervision.

24       “(c) USE OF MILITARY INSTALLATIONS.—The Sec-  
25 retary of the Interior and the Secretary of Agriculture

1 may make arrangements with the Secretary of Defense to  
2 identify military installations and other facilities of the  
3 Department of Defense and, in consultation with the adju-  
4 tant generals of the State National Guards, National  
5 Guard facilities that may be used, in whole or in part,  
6 by the Corps for training or housing Corps participants.

7 **“SEC. 206. RESOURCE ASSISTANTS.**

8       “(a) AUTHORIZATION.—The Secretary of the Interior  
9 and the Secretary of Agriculture are each authorized to  
10 provide individual placements of resource assistants with  
11 any Federal land managing agency under the jurisdiction  
12 of such Secretary to carry out research or resource protec-  
13 tion activities on behalf of the agency. To be eligible for  
14 selection as a resource assistant, an individual must be  
15 at least 17 years of age. The Secretaries may select re-  
16 source assistants without regard to the civil service and  
17 classification laws, rules, or regulations of the United  
18 States. The Secretaries shall give a preference to the selec-  
19 tion of individuals who are enrolled in an institution of  
20 higher education or are recent graduates from an institu-  
21 tion of higher education, with particular attention given  
22 to ensure full representation of women and participants  
23 from historically black, Hispanic, and Native American  
24 schools.

1       “(b) USE OF EXISTING NONPROFIT ORGANIZA-  
2 TIONS.—Whenever one or more existing nonprofit organi-  
3 zations can provide, in the judgment of the Secretary of  
4 the Interior or the Secretary of Agriculture, appropriate  
5 recruitment and placement services to fulfill the require-  
6 ments of this section, the Secretary may implement this  
7 section through such existing organizations. Participating  
8 nonprofit organizations shall contribute to the expenses of  
9 providing and supporting the resource assistants, through  
10 private sources of funding, at a level equal to 25 percent  
11 of the total costs of each participant in the Resource As-  
12 sistant program who has been recruited and placed  
13 through that organization. Any such participating non-  
14 profit conservation service organization shall be required,  
15 by the respective land managing agency, to submit an an-  
16 nual report evaluating the scope, size, and quality of the  
17 program, including the value of work contributed by the  
18 Resource Assistants, to the mission of the agency.

19 **“SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.**

20       “(a) LIVING ALLOWANCES.—The Secretary of the In-  
21 terior and the Secretary of Agriculture shall provide each  
22 participant in the Public Lands Corps and each resource  
23 assistant with a living allowance in an amount not to ex-  
24 ceed the maximum living allowance authorized by section  
25 140(a)(3) of the National and Community Service Act of

1 1990 for participants in a national service program as-  
2 sisted under subtitle C of title I of such Act.

3 “(b) TERMS OF SERVICE.—Each participant in the  
4 Corps and each resource assistant shall agree to partici-  
5 pate in the Corps or serve as a resource assistant, as the  
6 case may be, for such term of service as may be estab-  
7 lished by the Secretary enrolling or selecting the individ-  
8 ual.

9 **“SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.**

10 “(a) EDUCATIONAL BENEFITS AND AWARDS.—If a  
11 participant in the Public Lands Corps or a resource assist-  
12 ant also serves in an approved national service position  
13 designated under subtitle C of title I of the National and  
14 Community Service Act of 1990, the participant or re-  
15 source assistant shall be eligible for a national service edu-  
16 cational award in the manner prescribed in subtitle D of  
17 such title upon successfully complying with the require-  
18 ments for the award. The period during which the national  
19 service educational award may be used, the purposes for  
20 which the award may be used, and the amount of the  
21 award shall be determined as provided under such subtitle.

22 “(b) FORBEARANCE IN THE COLLECTION OF STAF-  
23 FORD LOANS.—For purposes of section 428 of the Higher  
24 Education Act of 1965, in the case of borrowers who are  
25 either participants in the Corps or resource assistants,

1 upon written request, a lender shall grant a borrower for-  
2 bearance on such terms as are otherwise consistent with  
3 the regulations of the Secretary of Education, during peri-  
4 ods in which the borrower is serving as such a participant  
5 or a resource assistant.

6 **“SEC. 209. NONDISPLACEMENT.**

7 “The nondisplacement requirements of section 177 of  
8 the National and Community Service Act of 1990 shall  
9 be applicable to all activities carried out by the Public  
10 Lands Corps, to all activities carried out under this title  
11 by a qualified youth or conservation corps, and to the se-  
12 lection and service of resource assistants.

13 **“SEC. 210. FUNDING.**

14 “(a) COST SHARING.—

15 “(1) PROJECTS BY QUALIFIED YOUTH OR CON-  
16 SERVATION CORPS.—The Secretary of the Interior  
17 and the Secretary of Agriculture are each authorized  
18 to pay not more than 75 percent of the costs of any  
19 appropriate conservation project carried out pursu-  
20 ant to this title on public lands by a qualified youth  
21 or conservation corps. The remaining 25 percent of  
22 the costs of such a project may be provided from  
23 nonfederal sources in the form of funds, services, fa-  
24 cilities, materials, equipment, or any combination of  
25 the foregoing. No cost sharing shall be required in



1 the case of any appropriate conservation project car-  
2 ried out on Indian lands or Hawaiian home lands  
3 under this title.

4 “(2) PUBLIC LANDS CORPS PROJECTS.—The  
5 Secretary of the Interior and the Secretary of Agri-  
6 culture are each authorized to accept donations of  
7 funds, services, facilities, materials, or equipment for  
8 the purposes of operating the Public Lands Corps  
9 and carrying out appropriate conservation projects  
10 by the Corps. However, nothing in this title shall be  
11 construed to require any cost sharing for any project  
12 carried out directly by the Corps.

13 “(b) FUNDS AVAILABLE UNDER NATIONAL AND  
14 COMMUNITY SERVICE ACT.—In order to carry out the  
15 Public Lands Corps or to support resource assistants and  
16 qualified youth or conservation corps under this title, the  
17 Secretary of the Interior and the Secretary of Agriculture  
18 shall be eligible to apply for and receive assistance under  
19 section 121(b) of the National and Community Service Act  
20 of 1990.”.

21 **SEC. 106. URBAN YOUTH CORPS.**

22 (a) FINDINGS.—The Congress finds the following:

23 (1) The rehabilitation, reclamation, and beau-  
24 tification of urban public housing, recreational sites,  
25 youth and senior centers, and public roads and pub-

1       lic works facilities through the efforts of young peo-  
2       ple in the United States in an Urban Youth Corps  
3       can benefit these youths, while also benefiting their  
4       communities, by—

5               (A) providing them with education and  
6       work opportunities;

7               (B) furthering their understanding and ap-  
8       preciation of the challenges faced by individuals  
9       residing in urban communities; and

10              (C) providing them with a means to pay  
11       for higher education or to repay indebtedness  
12       they have incurred to obtain higher education.

13       (2) A significant number of housing units for  
14       low-income individuals in urban areas has become  
15       substandard and unsafe and the deterioration of  
16       urban roadways, mass transit systems, and trans-  
17       portation facilities in the United States have contrib-  
18       uted to the blight encountered in many cities in the  
19       United States.

20       (3) As a result, urban housing, public works,  
21       and transportation resources are in need of labor in-  
22       tensive rehabilitation, reclamation, and beautifi-  
23       cation work that has been neglected in the past and  
24       cannot be adequately carried out by Federal, State,  
25       and local government at existing personnel levels.

1           (4) Urban youth corps have established a good  
2       record of rehabilitating, reclaiming, and beautifying  
3       these kinds of resources in a cost efficient manner,  
4       especially when they have worked in partnership  
5       with government housing, public works, and trans-  
6       portation authorities and agencies.

7       (b) PURPOSE.—It is the purpose of this section—

8           (1) to perform, in a cost-effective manner, ap-  
9       propriate service projects to rehabilitate, reclaim,  
10      beautify, and improve public housing and public  
11      works and transportation facilities and resources in  
12      urban areas suffering from high rates of poverty  
13      where work will not be performed by existing em-  
14      ployees;

15          (2) to assist government housing, public works,  
16      and transportation authorities and agencies;

17          (3) to expose young people in the United States  
18      to public service while furthering their understand-  
19      ing and appreciation of their community;

20          (4) to expand educational opportunity for indi-  
21      viduals who participate in the Urban Youth Corps  
22      established by this section by providing them with  
23      an increased ability to pursue postsecondary edu-  
24      cation or job training; and

1           (5) to stimulate interest among young people in  
2           the United States in lifelong service to their commu-  
3           nities and the United States.

4           (c) DEFINITIONS.—For purposes of this section:

5           (1) The term “appropriate service project”  
6           means any project for the rehabilitation, reclama-  
7           tion, or beautification of urban public housing and  
8           public works and transportation resources or facili-  
9           ties.

10          (2) The term “Corps” and “Urban Youth  
11          Corps” mean the Urban Youth Corps established  
12          under subsection (d)(1).

13          (3) The term “qualified urban youth corps”  
14          means any program established by a State or local  
15          government or by a nonprofit organization that—

16                (A) is capable of offering meaningful, full-  
17                time, productive work for individuals between  
18                the ages of 16 and 25, inclusive, in an urban  
19                or public works or transportation setting;

20                (B) gives participants a mix of work expe-  
21                rience, basic and life skills, education, training,  
22                and support services; and

23                (C) provides participants with the oppor-  
24                tunity to develop citizenship values and skills

1 through service to their communities and the  
2 United States.

3 (4) The term “State” means any State of the  
4 United States, the District of Columbia, the Com-  
5 monwealth of Puerto Rico, Guam, the Virgin Islands  
6 of the United States, American Samoa, and the  
7 Commonwealth of the Northern Mariana Islands.

8 (5) The term “Secretary” means the Secretary  
9 of Housing and Urban Development or the Secretary  
10 of Transportation.

11 (d) ESTABLISHMENT OF URBAN YOUTH CORPS.—

12 (1) ESTABLISHMENT.—There is hereby estab-  
13 lished in the Department of Housing and Urban De-  
14 velopment and the Department of Transportation an  
15 Urban Youth Corps. The Corps shall consist of indi-  
16 viduals between the ages of 16 and 25, inclusive,  
17 who are enrolled as participants in the Corps by the  
18 Secretary of Housing and Urban Development and  
19 the Secretary of Transportation. To be eligible for  
20 enrollment in the Corps, an individual shall satisfy  
21 the criteria specified in section 139(b) of the Na-  
22 tional and Community Service Act of 1990. The Sec-  
23 retaries may enroll such individuals in the Corps  
24 without regard to the civil service and classification  
25 laws, rules, or regulations of the United States. The

1 Secretaries may establish a preference for the enroll-  
2 ment in the Corps of individuals who are economi-  
3 cally, physically, or educationally disadvantaged.

4 (2) USE OF QUALIFIED URBAN YOUTH  
5 CORPS.—The Secretaries are authorized to enter  
6 into contracts and cooperative agreements with any  
7 qualified urban youth corps to perform appropriate  
8 service projects described in paragraph (3). As part  
9 of the Urban Youth Corps established in the Depart-  
10 ment of Transportation, the Secretary of Transpor-  
11 tation may make grants to States (and through  
12 States to local governments) for the purpose of es-  
13 tablishing, operating, or supporting qualified urban  
14 youth corps that will perform appropriate service  
15 projects relating to transportation resources or fa-  
16 cilities.

17 (3) SERVICE PROJECTS.—The Secretaries may  
18 each utilize the Corps or any qualified urban youth  
19 corps to carry out appropriate service projects that  
20 the Secretary involved is authorized to carry out  
21 under other authority of law involving public housing  
22 projects or public works resources or facilities.

23 (4) PREFERENCE FOR CERTAIN PROJECTS.—In  
24 selecting an appropriate service project to be carried

1 out under this section, the Secretaries shall give a  
2 preference to those projects which—

3 (A) will provide long-term benefits to the  
4 public;

5 (B) will instill in the participant a work  
6 ethic and a sense of public service;

7 (C) will be labor intensive;

8 (D) can be planned and initiated promptly;  
9 and

10 (E) will provide academic, experiential, or  
11 community education opportunities.

12 (5) CONSISTENCY.—Each appropriate service  
13 project carried out under this section in any public  
14 housing project or public works resource or facility  
15 shall be consistent with the provisions of law and  
16 policies relating to the management and administra-  
17 tion of such projects, facilities, or resources, with all  
18 other applicable provisions of law, and with all man-  
19 agement, operational, and other plans and docu-  
20 ments which govern the administration of such  
21 projects, facilities, or resources.

22 (e) LIVING ALLOWANCES.—The Secretaries shall  
23 provide each participant in the Urban Youth Corps with  
24 a living allowance in an amount not to exceed the maxi-  
25 mum living allowance authorized by section 140(a)(3) of

1 the National and Community Service Act of 1990 for par-  
2 ticipants in a national service program assisted under sub-  
3 title C of title I of such Act.

4 (f) TERMS OF SERVICE.—Each participant in the  
5 Urban Youth Corps shall agree to participate in the Corps  
6 for a term of service established by the Secretary involved,  
7 consistent with the terms of service required under section  
8 139(b) of the National and Community Service Act of  
9 1990 for participants in a national service program as-  
10 sisted under subtitle C of title I of such Act.

11 (g) EDUCATIONAL AWARDS.—

12 (1) ELIGIBILITY.—Each participant in the  
13 Urban Youth Corps shall be eligible for a national  
14 service educational award in the manner prescribed  
15 in subtitle D of title I of the National and Commu-  
16 nity Service Act of 1990 if such participant complies  
17 with such requirements as may be established under  
18 this subtitle by the Secretary involved respecting eli-  
19 gibility for the award. The period during which the  
20 award may be used, the purposes for which the  
21 award may be used, and the amount of the award  
22 shall be determined as provided under such subtitle.

23 (2) FORBEARANCE IN THE COLLECTION OF  
24 STAFFORD LOANS.—For purposes of section 428 of  
25 the Higher Education Act of 1965, in the case of



1 borrowers who are participants in the Urban Youth  
2 Corps, upon written request, a lender shall grant a  
3 borrower forbearance on such terms as are otherwise  
4 consistent with the regulations of the Secretary of  
5 Education, during periods in which the borrower is  
6 serving as such a participant and eligible for a na-  
7 tional service educational award under paragraph  
8 (1).

9 (h) NONDISPLACEMENT.—The nondisplacement re-  
10 quirements of section 177 of the National and Community  
11 Service Act of 1990 shall be applicable to all activities car-  
12 ried out by the Urban Youth Corps and to all activities  
13 carried out under this section by a qualified urban youth  
14 corps.

15 (i) COST SHARING.—

16 (1) PROJECTS BY QUALIFIED URBAN YOUTH  
17 CORPS.—The Secretaries are each authorized to pay  
18 not more than 75 percent of the costs of any appro-  
19 priate service project carried out pursuant to this  
20 section by a qualified urban youth corps. The re-  
21 maining 25 percent of the costs of such a project  
22 may be provided from nonfederal sources in the form  
23 of funds, services, facilities, materials, equipment, or  
24 any combination of the foregoing.

1           (2) DONATIONS.—The Secretaries are each au-  
2           thorized to accept donations of funds, services, facili-  
3           ties, materials, or equipment for the purposes of op-  
4           erating the Urban Youth Corps and carrying out ap-  
5           propriate service projects by the Corps. However,  
6           nothing in this section shall be construed to require  
7           any cost sharing for any project carried out directly  
8           by the Corps.

9           (3) FUNDS AVAILABLE UNDER NATIONAL AND  
10          COMMUNITY SERVICE ACT.—In order to carry out  
11          the Urban Youth Corps or to support qualified  
12          urban youth corps under this section, the Secretaries  
13          shall be eligible to apply for and receive assistance  
14          under section 121(b) of the National and Commu-  
15          nity Service Act of 1990.

## 16       **Subtitle B—Related Provisions**

### 17       **SEC. 111. DEFINITIONS.**

18          (a) IN GENERAL.—Section 101 of the National and  
19          Community Service Act of 1990 (42 U.S.C. 12511) is  
20          amended to read as follows:

#### 21       **“SEC. 101. DEFINITIONS.**

22          “For purposes of this title:

23               “(1) ADULT VOLUNTEER.—The term ‘adult vol-  
24               unteer’ means an individual, such as an older adult,  
25               an individual with a disability, a parent, or an em-

1        ployee of a business or public or private nonprofit  
2        agency, who—

3                “(A) works without financial remuneration  
4                in an educational institution to assist students  
5                or out-of-school youth; and

6                “(B) is beyond the age of compulsory  
7                school attendance in the State in which the edu-  
8                cational institution is located.

9                “(2) APPROVED NATIONAL SERVICE POSI-  
10        TION.—The term ‘approved national service position’  
11        means a national service position designated by the  
12        Corporation as a position that includes a national  
13        service educational award described in section 147  
14        as one of the benefits to be provided for successful  
15        service in the position.

16                “(3) CARRY OUT.—The term ‘carry out’, when  
17        used in connection with a national service program  
18        described in section 122, means the planning, estab-  
19        lishment, operation, expansion, or replication of the  
20        program.

21                “(4) CHAIRPERSON.—The term ‘Chairperson’  
22        means the Chairperson and Director of the Corpora-  
23        tion appointed under section 193.

24                “(5) COMMUNITY-BASED AGENCY.—The term  
25        ‘community-based agency’ means a private nonprofit

1 organization (including a church or other religious  
2 entity) that—

3 “(A) is representative of a community or a  
4 significant segment of a community; and

5 “(B) is engaged in meeting human, edu-  
6 cational, environmental, or public safety com-  
7 munity needs.

8 “(6) CORPORATION.—The term ‘Corporation’  
9 means the Corporation for National Service estab-  
10 lished under section 191.

11 “(7) ECONOMICALLY DISADVANTAGED.—The  
12 term ‘economically disadvantaged’ means, with re-  
13 spect to an individual, an individual who is deter-  
14 mined by the Chairperson to be low-income accord-  
15 ing to the latest available data from the Department  
16 of Commerce.

17 “(8) ELEMENTARY SCHOOL.—The term ‘ele-  
18 mentary school’ has the same meaning given such  
19 term in section 1471(8) of the Elementary and Sec-  
20 ondary Education Act of 1965 (20 U.S.C. 2891(8)).

21 “(9) INDIAN.—The term ‘Indian’ means a per-  
22 son who is a member of an Indian tribe.

23 “(10) INDIAN LANDS.—The term ‘Indian lands’  
24 means—

25 “(A) any Indian reservation;

1           “(B) any public domain Indian allotments;

2           “(C) any former Indian reservation in the  
3       State of Oklahoma;

4           “(D) any land held by incorporated Native  
5       groups, regional corporations, and village cor-  
6       porations under the Alaska Native Claims Set-  
7       tlement Act (43 U.S.C. 1701 et seq.); and

8           “(E) any land held by dependent Indian  
9       communities within the borders of the United  
10      States whether within the original or subse-  
11      quently acquired territory thereof, and whether  
12      within or without the limits of a State.

13          “(11) INDIAN TRIBE.—The term ‘Indian tribe’  
14      means an Indian tribe, band, nation, or other orga-  
15      nized group or community, including any Native vil-  
16      lage, Regional Corporation, or Village Corporation,  
17      as defined in subsection (c), (g), or (j), respectively,  
18      of section 3 of the Alaska Native Claims Settlement  
19      Act (43 U.S.C. 1602 (c), (g), or (j)), that is recog-  
20      nized as eligible for the special programs and serv-  
21      ices provided by the United States under Federal  
22      law to Indians because of their status as Indians.

23          “(12) INSTITUTION OF HIGHER EDUCATION.—  
24      The term ‘institution of higher education’ has the  
25      same meaning given such term in section 1201(a) of

1 the Higher Education Act of 1965 (20 U.S.C.  
2 1141(a)).

3 “(13) LOCAL EDUCATIONAL AGENCY.—The  
4 term ‘local educational agency’ has the same mean-  
5 ing given such term in section 1471(12) of the Ele-  
6 mentary and Secondary Education Act of 1965 (20  
7 U.S.C. 2891(12)).

8 “(14) NATIONAL SERVICE LAWS.—The term  
9 ‘national service laws’ means this Act and the Do-  
10 mestic Volunteer Service Act of 1973 (42 U.S.C.  
11 4950 et seq.).

12 “(15) OUT-OF-SCHOOL YOUTH.—The term ‘out-  
13 of-school youth’ means an individual who—

14 “(A) has not attained the age of 27;

15 “(B) has not completed college or the  
16 equivalent thereof; and

17 “(C) is not enrolled in an elementary or  
18 secondary school or institution of higher edu-  
19 cation.

20 “(16) PARTICIPANT.—

21 “(A) IN GENERAL.—The term ‘participant’  
22 means—

23 “(i) for purposes of subtitle C, an in-  
24 dividual in an approved national service  
25 position; and

1                   “(ii) for purposes of any other provi-  
2                   sion of this Act, an individual enrolled in  
3                   a program that receives assistance under  
4                   this title.

5                   “(B) RULE.—A participant shall not be  
6                   considered to be an employee of the program in  
7                   which the participant is enrolled.

8                   “(17) PARTNERSHIP PROGRAM.—The term  
9                   ‘partnership program’ means a program through  
10                  which an adult volunteer, a public or private non-  
11                  profit agency, an institution of higher education, or  
12                  a business assists a local educational agency.

13                  “(18) PROGRAM.—The term ‘program’, except  
14                  when used as part of the term ‘academic program’,  
15                  means a program described in section 111(a) (other  
16                  than a program referred to in paragraph (3)(B) of  
17                  such section), 117A(a), 119(b)(1), or 122(a), in  
18                  paragraph (1) or (2) of section 152(b), or in section  
19                  198.

20                  “(19) PROJECT.—The term ‘project’ means an  
21                  activity, carried out through a program that receives  
22                  assistance under this title, that results in a specific  
23                  identifiable service or improvement that otherwise  
24                  would not be done with existing funds, and that does

1 not duplicate the routine services or functions of the  
2 employer to whom participants are assigned.

3 “(20) SCHOOL-AGE YOUTH.—The term ‘school-  
4 age youth’ means an individual who is—

5 “(A) between the ages of 5 and 17, inclu-  
6 sive; or

7 “(B) a child with a disability covered by  
8 the Individuals with Disabilities Education Act  
9 (20 U.S.C. 1400 et seq.).

10 “(21) SECONDARY SCHOOL.—The term ‘second-  
11 ary school’ has the same meaning given such term  
12 in section 1471(21) of the Elementary and Second-  
13 ary Education Act of 1965 (20 U.S.C. 2891(21)).

14 “(22) SERVICE-LEARNING.—The term ‘service-  
15 learning’ means a method—

16 “(A) under which students or participants  
17 learn and develop through active participation  
18 in thoughtfully organized service that—

19 “(i) is conducted in and meets the  
20 needs of a community;

21 “(ii) is coordinated with an elemen-  
22 tary school, secondary school, institution of  
23 higher education, or community service  
24 program, and with the community; and



1 “(iii) helps foster civic responsibility;

2 and

3 “(B) that—

4 “(i) is integrated into and enhances  
5 the academic curriculum of the students,  
6 or the educational components of the com-  
7 munity service program in which the par-  
8 ticipants are enrolled; and

9 “(ii) provides structured time for the  
10 students or participants to reflect on the  
11 service experience.

12 “(23) SERVICE-LEARNING COORDINATOR.—The  
13 term ‘service-learning coordinator’ means an individ-  
14 ual who provides services as described in subsection  
15 (a)(3) or (b) of section 111.

16 “(24) SERVICE SPONSOR.—The term ‘service  
17 sponsor’ means an organization, or other entity, that  
18 has been selected to provide a placement for a par-  
19 ticipant.

20 “(25) STATE.—The term ‘State’ means each of  
21 the several States, the District of Columbia, the  
22 Commonwealth of Puerto Rico, the Virgin Islands of  
23 the United States, Guam, American Samoa, and the  
24 Commonwealth of the Northern Mariana Islands.

1       The term also includes Palau, until such time as the  
2       Compact of Free Association is ratified.

3           “(26) STATE COMMISSION.—The term ‘State  
4       Commission’ means a State Commission on National  
5       Service maintained by a State pursuant to section  
6       178. Except when used in section 178, the term in-  
7       cludes an alternative administrative entity for a  
8       State approved by the Corporation under such sec-  
9       tion to act in lieu of a State Commission.

10          “(27) STATE EDUCATIONAL AGENCY.—The  
11       term ‘State educational agency’ has the same mean-  
12       ing given such term in section 1471(23) of the Ele-  
13       mentary and Secondary Education Act of 1965 (20  
14       U.S.C. 2891(23)).

15          “(28) STUDENT.—The term ‘student’ means an  
16       individual who is enrolled in an elementary or sec-  
17       ondary school or institution of higher education on  
18       a full- or part-time basis.”.

19       (b) TECHNICAL AND CONFORMING AMENDMENTS.—

20           (1) Section 182(a)(2) of the National and Com-  
21       munity Service Act of 1990 (42 U.S.C 12642(a)(2))  
22       is amended by striking “adult volunteer and partner-  
23       ship” each place the term appears and inserting  
24       “partnership”.

1           (2) Section 182(a)(3) of the National and Com-  
2           munity Service Act of 1990 (42 U.S.C 12642(a)(3))  
3           is amended by striking “adult volunteer and partner-  
4           ship” and inserting “partnership”.

5           (3) Section 441(c)(2) of the Higher Education  
6           Act of 1965 (42 U.S.C. 2751(c)(2)) is amended by  
7           striking “service opportunities or youth corps as de-  
8           fined in section 101 of the National and Community  
9           Service Act of 1990, and service in the agencies, in-  
10          stitutions and activities designated in section 124(a)  
11          of the National and Community Service Act of  
12          1990” and inserting “a project, as defined in section  
13          101(19) of the National and Community Service Act  
14          of 1990 (42 U.S.C. 12511(18))”.

15          (4) Section 1122(a)(2)(C) of the Higher Edu-  
16          cation Act of 1965 (20 U.S.C. 1137a(a)(2)(C)) is  
17          amended by striking “youth corps as defined in sec-  
18          tion 101(30) of the National and Community Service  
19          Act of 1990” and inserting “youth corps programs,  
20          as described in section 122(a)(1) of the National  
21          and Community Service Act of 1990”.

22          (5) Section 1201(p) of the Higher Education  
23          Act of 1965 (20 U.S.C. 1141(p)) is amended by  
24          striking “section 101(22) of the National and Com-  
25          munity Service Act of 1990” and inserting “section

1       101(22) of the National and Community Service Act  
2       of 1990 (42 U.S.C. 12511(21))”.

3       **SEC. 112. AUTHORITY TO MAKE STATE GRANTS.**

4       Section 102 of the National and Community Service  
5       Act of 1990 (42 U.S.C. 12512) is repealed.

6       **SEC. 113. FAMILY AND MEDICAL LEAVE.**

7       (a) IN GENERAL.—Section 171 of the National and  
8       Community Service Act of 1990 (42 U.S.C. 12631) is  
9       amended to read as follows:

10      **“SEC. 171. FAMILY AND MEDICAL LEAVE.**

11      “(a) PARTICIPANTS IN PRIVATE, STATE, AND LOCAL  
12      PROJECTS.—For purposes of title I of the Family and  
13      Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.), if—

14              “(1) a participant has provided service for the  
15              period required by section 101(2)(A)(i) (29 U.S.C.  
16              2611(2)(A)(i)), and has met the hours of service re-  
17              quirement of section 101(2)(A)(ii), of such Act with  
18              respect to a project; and

19              “(2) the service sponsor of the project is an em-  
20              ployer described in section 101(4) of such Act (other  
21              than an employing agency within the meaning of  
22              subchapter V of chapter 63 of title 5, United States  
23              Code),

24      the participant shall be considered to be an eligible em-  
25      ployee of the service sponsor.

1       “(b) PARTICIPANTS IN FEDERAL PROJECTS.—For  
2 purposes of subchapter V of chapter 63 of title 5, United  
3 States Code, if—

4               “(1) a participant has provided service for the  
5 period required by section 6381(1)(B) of such title  
6 with respect to a project; and

7               “(2) the service sponsor of the project is an em-  
8 ploying agency within the meaning of such sub-  
9 chapter,  
10 the participant shall be considered to be an employee of  
11 the service sponsor.

12       “(c) TREATMENT OF ABSENCE.—The period of any  
13 absence of a participant from a service position pursuant  
14 to title I of the Family and Medical Leave Act of 1993  
15 or subchapter V of chapter 63 of title 5, United States  
16 Code, shall not be counted toward the completion of the  
17 term of service of the participant under section 139 of this  
18 Act.”.

19       (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
20 tional and Community Service Act of 1990 (Public Law  
21 101–610; 104 Stat. 3127) is amended by striking the item  
22 relating to section 171 of such Act and inserting the fol-  
23 lowing:

“Sec. 171. Family and medical leave.”.

1 **SEC. 114. REPORTS.**

2 Section 172 of the National and Community Service  
3 Act of 1990 (42 U.S.C. 12632) is amended—

4 (1) in subsection (a)(3)(A), by striking “sec-  
5 tions 177 and 113(9)” and inserting “section 177”;  
6 and

7 (2) in subsection (b)(1), by striking “this title”  
8 and inserting “the national service laws”.

9 **SEC. 115. NONDISCRIMINATION.**

10 Section 175 of the National and Community Service  
11 Act of 1990 (42 U.S.C. 12635) is amended to read as  
12 follows:

13 **“SEC. 175. NONDISCRIMINATION.**

14 “(a) IN GENERAL.—

15 “(1) BASIS.—An individual with responsibility  
16 for the operation of a project that receives assistance  
17 under this title shall not discriminate against a par-  
18 ticipant in, or member of the staff of, such project  
19 on the basis of race, color, national origin, sex, age,  
20 or political affiliation of such participant or member,  
21 or on the basis of disability, if the participant or  
22 member is a qualified individual with a disability.

23 “(2) DEFINITION.—As used in paragraph (1),  
24 the term ‘qualified individual with a disability’ has  
25 the meaning given the term in section 101(8) of the

1 Americans with Disabilities Act of 1990 (42 U.S.C.  
2 12111(8)).

3 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-  
4 ance provided under this title shall constitute Federal fi-  
5 nancial assistance for purposes of title VI of the Civil  
6 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX  
7 of the Education Amendments of 1972 (20 U.S.C. 1681  
8 et seq.), section 504 of the Rehabilitation Act of 1973 (29  
9 U.S.C. 794), and the Age Discrimination Act of 1975 (42  
10 U.S.C. 6101 et seq.), and shall constitute assistance to  
11 an education program or activity for purposes of title IX  
12 of the Education Amendments of 1972 (20 U.S.C. 1681  
13 et seq.).

14 “(c) RELIGIOUS DISCRIMINATION.—

15 “(1) IN GENERAL.—Except as provided in para-  
16 graph (2), an individual with responsibility for the  
17 operation of a project that receives assistance under  
18 this title shall not discriminate on the basis of reli-  
19 gion against a participant in such project or a mem-  
20 ber of the staff of such project who is paid with  
21 funds received under this title.

22 “(2) EXCEPTION.—Paragraph (1) shall not  
23 apply to the employment, with assistance provided  
24 under this title, of any member of the staff, of a  
25 project that receives assistance under this title, who

1 was employed with the organization operating the  
2 project on the date the grant under this title was  
3 awarded.

4 “(d) RULES AND REGULATIONS.—The Chairperson  
5 shall promulgate rules and regulations to provide for the  
6 enforcement of this section that shall include provisions  
7 for summary suspension of assistance for not more than  
8 30 days, on an emergency basis, until notice and an oppor-  
9 tunity to be heard can be provided.”.

10 **SEC. 116. NOTICE, HEARING, AND GRIEVANCE PROCE-**  
11 **DURES.**

12 (a) DECERTIFICATION OF POSITIONS.—Section  
13 176(a) of the National and Community Service Act of  
14 1990 (42 U.S.C. 12636(a)) is amended—

15 (1) in paragraph (1), by inserting “, or revoke  
16 the designation of positions, related to the grant or  
17 contract, as approved national service positions,” be-  
18 fore “whenever the Commission”; and

19 (2) in paragraph (2)(B), by inserting “or re-  
20 voked” after “terminated”.

21 (b) CONSTRUCTION.—Section 176(e) of such Act (42  
22 U.S.C. 12636(e)) is amended by adding before the period  
23 the following “, other than assistance provided pursuant  
24 to this Act”.



1 (c) GRIEVANCE PROCEDURE.—Section 176(f) of such  
2 Act is amended to read as follows:

3 “(f) GRIEVANCE PROCEDURE.—

4 “(1) IN GENERAL.—A State or local applicant  
5 that receives assistance under this title shall estab-  
6 lish and maintain a procedure for the filing and ad-  
7 judication of grievances from participants, labor or-  
8 ganizations, and other interested individuals con-  
9 cerning projects that receive assistance under this  
10 title, including grievances regarding proposed place-  
11 ments of such participants in such projects.

12 “(2) DEADLINE FOR GRIEVANCES.—Except for  
13 a grievance that alleges fraud or criminal activity, a  
14 grievance shall be made not later than 1 year after  
15 the date of the alleged occurrence of the event that  
16 is the subject of the grievance.

17 “(3) DEADLINE FOR HEARING AND DECI-  
18 SION.—

19 “(A) HEARING.—A hearing on any griev-  
20 ance conducted under this subsection shall be  
21 conducted not later than 30 days after the fil-  
22 ing of such grievance.

23 “(B) DECISION.—A decision on any such  
24 grievance shall be made not later than 60 days  
25 after the filing of such grievance.

1 “(4) ARBITRATION.—

2 “(A) IN GENERAL.—

3 “(i) JOINTLY SELECTED ARBITRA-  
4 TOR.—In the event of a decision on a  
5 grievance that is adverse to the party who  
6 filed such grievance, or 60 days after the  
7 filing of such grievance if no decision has  
8 been reached, such party shall be per-  
9 mitted to submit such grievance to binding  
10 arbitration before a qualified arbitrator  
11 who is jointly selected and independent of  
12 the interested parties.

13 “(ii) APPOINTED ARBITRATOR.—If  
14 the parties cannot agree on an arbitrator,  
15 the Chairperson shall appoint an arbitrator  
16 from a list of qualified arbitrators within  
17 15 days after receiving a request for such  
18 appointment from one of the parties to the  
19 grievance.

20 “(B) DEADLINE FOR PROCEEDING.—An  
21 arbitration proceeding shall be held not later  
22 than 45 days after the request for such arbitra-  
23 tion proceeding, or, if the arbitrator is ap-  
24 pointed by the Chairperson in accordance with

1           subparagraph (A)(ii), not later than 30 days  
2           after the appointment of such arbitrator.

3           “(C) DEADLINE FOR DECISION.—A deci-  
4           sion concerning a grievance shall be made not  
5           later than 30 days after the date such arbitra-  
6           tion proceeding begins.

7           “(D) COST.—

8                 “(i) IN GENERAL.—Except as pro-  
9                 vided in clause (ii), the cost of an arbitra-  
10                tion proceeding shall be divided evenly be-  
11                tween the parties to the arbitration.

12               “(ii) EXCEPTION.—If a participant,  
13               labor organization, or other interested indi-  
14               vidual described in paragraph (1) prevails  
15               under a binding arbitration proceeding, the  
16               State, local agency, public or private non-  
17               profit organization, or partnership of such  
18               agencies and organizations, that is a party  
19               to such grievance shall pay the total cost  
20               of such proceeding and the attorneys’ fees  
21               of such participant, labor organization, or  
22               individual, as the case may be.

23           “(5) PROPOSED PLACEMENT.—If a grievance is  
24           filed regarding a proposed placement of a partici-  
25           pant in a project that receives assistance under this

1 title, such placement shall not be made unless the  
2 placement is consistent with the resolution of the  
3 grievance pursuant to this subsection.

4 “(6) REMEDIES.—Remedies for a grievance  
5 filed under this subsection include—

6 “(A) suspension of payments for assistance  
7 under this title;

8 “(B) termination of such payments;

9 “(C) prohibition of the placement described  
10 in paragraph (5); and

11 “(D) in a case in which the grievance in-  
12 volves a violation of subsection (a) or (b) of sec-  
13 tion 177 and the employer of the displaced em-  
14 ployee is the recipient of assistance under this  
15 title—

16 “(i) reinstatement of the displaced  
17 employee to the position held by such em-  
18 ployee prior to displacement;

19 “(ii) payment of lost wages and bene-  
20 fits of the displaced employee;

21 “(iii) reestablishment of other relevant  
22 terms, conditions, and privileges of employ-  
23 ment of the displaced employee; and

24 “(iv) such equitable relief as is nec-  
25 essary to correct any violation of sub-

1           section (a) or (b) of section 177 or to  
2           make the displaced employee whole.

3           “(7) ENFORCEMENT.—Suits to enforce arbitra-  
4           tion awards under this section may be brought in  
5           any district court of the United States having juris-  
6           diction of the parties, without regard to the amount  
7           in controversy and without regard to the citizenship  
8           of the parties.”.

9   **SEC. 117. NONDISPLACEMENT.**

10       Section 177(b)(3) of the National and Community  
11   Service Act of 1990 (42 U.S.C. 12637(b)(3)) is amend-  
12   ed—

13           (1) in subparagraph (B), to read as follows:

14           “(B) SUPPLANTATION OF HIRING.—A par-  
15           ticipant in any program receiving assistance  
16           under this title shall not perform any services  
17           or duties, or engage in activities, that—

18                   “(i) will supplant the hiring of em-  
19                   ployed workers; or

20                   “(ii) are services, duties, or activities  
21                   with respect to which an individual has re-  
22                   call rights pursuant to a collective bargain-  
23                   ing agreement or applicable personnel pro-  
24                   cedures.”; and

25           (2) in subparagraph (C)(iii), to read as follows:

1 “(iii) employee who—

2 “(I) is subject to a reduction in  
3 force; or

4 “(II) has recall rights pursuant  
5 to a collective bargaining agreement  
6 or applicable personnel procedures;”.

7 **SEC. 118. EVALUATION.**

8 Section 179 of the National and Community Service  
9 Act of 1990 (42 U.S.C 12639) is amended—

10 (1) in subsection (a)—

11 (A) in the matter preceding paragraph (1),  
12 by striking “this title” and inserting “the na-  
13 tional service laws”; and

14 (B) in paragraph (2)—

15 (i) in the matter preceding  
16 subparagraph (A), by striking “for purposes  
17 of the reports required by subsection (j),”  
18 and inserting “with respect to the pro-  
19 grams authorized under subtitle C”; and

20 (ii) in subparagraph (A), by striking  
21 “older American volunteer programs” and  
22 inserting “National Senior Volunteer  
23 Corps programs”;

24 (2) in subsection (g)—

1 (A) in the matter preceding paragraph (1),  
 2 by striking “subtitle D” and inserting “subtitle  
 3 C”; and

4 (B) in paragraphs (3) and (9), by striking  
 5 “older American volunteer programs” and in-  
 6 serting “National Senior Volunteer Corps pro-  
 7 grams”; and

8 (3) by striking subsections (i) and (j).

9 **SEC. 119. ENGAGEMENT OF PARTICIPANTS.**

10 Section 180 of the National and Community Service  
 11 Act of 1990 (42 U.S.C. 12640) is amended by striking  
 12 “post-service benefits” and inserting “national service  
 13 educational awards”.

14 **SEC. 120. CONTINGENT EXTENSION.**

15 (a) IN GENERAL.—Section 181 of the National and  
 16 Community Service Act of 1990 (42 U.S.C. 12641) is  
 17 amended to read as follows:

18 **“SEC. 181. CONTINGENT EXTENSION.**

19 “Section 414 of the General Education Provisions  
 20 Act (20 U.S.C. 1226a) shall apply to this Act.”.

21 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 22 tional and Community Service Act of 1990 (Public Law  
 23 101–610; 104 Stat. 3127) is amended by striking the item  
 24 relating to sections 181 of such Act and inserting the fol-  
 25 lowing:

“Sec. 181. Contingent extension.”.

1 **SEC. 121. REPEALS.**

2 (a) IN GENERAL.—Subtitle F of title I of the Na-  
3 tional and Community Service Act of 1990 (42 U.S.C.  
4 12631 et seq.) is amended—

5 (1) by repealing sections 183, 185, and 186;  
6 and

7 (2) by redesignating section 184 as section 183.

8 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
9 tional and Community Service Act of 1990 (Public Law  
10 101–610; 104 Stat. 3127) is amended by striking the  
11 items relating to sections 183, 184, and 185 of such Act  
12 and inserting the following:

“Sec. 183. Drug-free workplace requirements.”.

13 **TITLE II—ORGANIZATION**

14 **SEC. 201. STATE COMMISSIONS ON NATIONAL SERVICE.**

15 (a) COMPOSITION AND DUTIES OF STATE COMMIS-  
16 SIONS.—Subtitle F of title I of the National and Commu-  
17 nity Service Act of 1990 is amended by striking section  
18 178 (42 U.S.C. 12638) and inserting the following new  
19 section:

20 **“SEC. 178. STATE COMMISSIONS ON NATIONAL SERVICE.**

21 **“(a) EXISTENCE REQUIRED.—**

22 **“(1) STATE COMMISSION.—**Except as provided  
23 in paragraph (2), to be eligible to receive a grant or  
24 allotment under subtitle B or C or to receive a dis-  
25 tribution of approved national service positions



1 under subtitle C, a State shall maintain a State  
2 Commission on National Service that satisfies the  
3 requirements of this section.

4 “(2) ALTERNATIVE ADMINISTRATIVE ENTITY.—

5 The chief executive officer of a State may apply to  
6 the Corporation for approval to use an alternative  
7 administrative entity to carry out the duties other-  
8 wise entrusted to a State Commission under this  
9 Act. The chief executive officer shall ensure that any  
10 alternative administrative entity used in lieu of a  
11 State Commission still provides for the individuals  
12 described in paragraphs (1) and (2) of subsection (c)  
13 to play a significant policy-making role in carrying  
14 out the duties otherwise entrusted to a State Com-  
15 mission, including the submission of applications on  
16 behalf of the State under sections 117B and 130.

17 “(b) APPOINTMENT AND SIZE.—Except as provided  
18 in subsection (c)(3), the members of a State Commission  
19 for a State shall be appointed by the chief executive officer  
20 of the State. A State Commission shall consist of not less  
21 than 15 voting members.

22 “(c) COMPOSITION AND MEMBERSHIP.—

23 “(1) REQUIRED MEMBERS.—The State Com-  
24 mission for a State shall include as voting members  
25 at least one of each of the following individuals:

1           “(A) An individual with expertise in the  
2           educational, training, and development needs of  
3           youth, particularly disadvantaged youth.

4           “(B) An individual with experience in pro-  
5           moting the involvement of older Americans in  
6           service and voluntarism.

7           “(C) A representative of community action  
8           agencies and community-based organizations  
9           within the State, particularly those agencies  
10          and organizations that—

11               “(i) are located in areas of the State  
12               with high rates of poverty;

13               “(ii) provide a comprehensive range of  
14               services to economically disadvantaged in-  
15               dividuals and families;

16               “(iii) have a demonstrated record of  
17               effectiveness; and

18               “(iv) are governed by a board com-  
19               posed in significant part of economically  
20               disadvantaged individuals.

21           “(D) A youth who is or has been a partici-  
22           pant in a service program.

23           “(E) An individual with expertise in the  
24           delivery of human, educational, environmental,

1 or public safety services to communities and  
2 persons.

3 “(F) The head of the State educational  
4 agency.

5 “(G) A representative of local governments  
6 in the State.

7 “(H) A representative of local labor orga-  
8 nizations in the State.

9 “(I) Representatives of business.

10 “(2) ADDITIONAL MEMBERS.—The State Com-  
11 mission for a State may also include as voting mem-  
12 bers the following individuals:

13 “(A) Representatives of entities which re-  
14 ceive assistance under the Domestic Volunteer  
15 Service Act of 1973 (42 U.S.C. 4950 et seq.).

16 “(B) Educators.

17 “(C) Individuals who are recognized for  
18 their outstanding contributions as volunteers in  
19 service to their community, State, and Nation.

20 “(3) CORPORATION REPRESENTATIVE.—The  
21 representative of the Corporation designated under  
22 section 195(b) for a State shall be a voting member  
23 of the State Commission for that State.

24 “(4) EX OFFICIO STATE REPRESENTATIVES.—  
25 The chief executive officer of a State may appoint as

1 nonvoting ex officio members of the State Commis-  
2 sion for the State representatives selected from  
3 among officers and employees of State agencies op-  
4 erating community service, youth service, education,  
5 social service, senior service, and job training pro-  
6 grams.

7 “(5) LIMITATION ON NUMBER OF STATE EM-  
8 PLOYEES AS MEMBERS.—The number of voting  
9 members of a State Commission selected under  
10 paragraph (1) or (2) who are officers or employees  
11 of the State may not exceed 25 percent (reduced to  
12 the nearest whole number) of the total membership  
13 of the State Commission.

14 “(d) MISCELLANEOUS MATTERS.—

15 “(1) MEMBERSHIP BALANCE.—The chief execu-  
16 tive officer of a State shall ensure that the member-  
17 ship of the State Commission for the State is bal-  
18 anced according to race, ethnic background, age,  
19 and gender. Not more than 50 percent of the voting  
20 members of a State Commission, plus 1 additional  
21 member, may be from the same political party.

22 “(2) TERMS.—Each member of the State Com-  
23 mission for a State shall serve for a term of 3 years,  
24 except that the chief executive officer of a State

1 shall initially appoint a portion of the members to  
2 terms of 1 year and 2 years.

3 “(3) VACANCIES.—As vacancies occur on a  
4 State Commission, new members shall be appointed  
5 by the chief executive of the State and serve for the  
6 remainder of the term for which the predecessor of  
7 such member was appointed. The vacancy shall not  
8 affect the power of the remaining members to exe-  
9 cute the duties of the State Commission.

10 “(4) COMPENSATION.—A member of a State  
11 Commission shall not receive any additional com-  
12 pensation by reason of service on the State Commis-  
13 sion, except that the State may authorize the reim-  
14 bursement of travel expenses, including a per diem  
15 in lieu of subsistence, in the same manner as other  
16 employees serving intermittently in the service of the  
17 State.

18 “(5) CHAIRPERSON.—The voting members of a  
19 State Commission shall elect one of the voting mem-  
20 bers to serve as chairperson of the State Commis-  
21 sion.

22 “(6) LIMITATION ON MEMBER PARTICIPA-  
23 TION.—

24 “(A) GENERAL LIMITATION.—Except as  
25 provided in subparagraph (B), a voting member

1 of the State Commission (or of an alternative  
2 administrative entity) shall not participate in  
3 the administration of the grant program (in-  
4 cluding any discussion or decision regarding the  
5 provision of assistance or approved national  
6 service positions, or the continuation, suspen-  
7 sion, or termination of such assistance or such  
8 positions, to any program or entity) described  
9 in subsection (e)(9) in any period during which  
10 there is pending before the Commission (or  
11 such entity) a grant applicant submitted by a  
12 program or entity of which such member is, or  
13 in the 1-year period before the submission of  
14 such application was, an officer, director, trust-  
15 ee, full-time volunteer, or employee.

16 “(B) EXCEPTION.—If, as a result of the  
17 operation of subparagraph (A), the number of  
18 voting members of the Commission (or of such  
19 entity) is insufficient to establish a quorum for  
20 the purpose of administering such program,  
21 then voting members excluded from participa-  
22 tion by subparagraph (A) may participate in  
23 the administration of such program, notwith-  
24 standing the limitation in subparagraph (A), to

1 the extent permitted by regulations issued  
2 under section 192A(h)(10) by the Corporation.

3 “(C) RULE OF CONSTRUCTION.—Subpara-  
4 graph (A) shall not be construed to limit the  
5 authority of any voting member of the Commis-  
6 sion (or of such entity) to participate in—

7 “(i) discussion of, and hearing and fo-  
8 rums on—

9 “(I) the general duties, policies,  
10 and operations of the Commission (or  
11 of such entity); or

12 “(II) the general administration  
13 of such program; or

14 “(ii) similar general matters relating  
15 to the Commission (or such entity).

16 “(e) DUTIES OF A STATE COMMISSION.—The State  
17 Commission for a State shall be responsible for the follow-  
18 ing duties:

19 “(1) Preparation of a national service plan for  
20 the State that—

21 “(A) is developed through an open and  
22 public process (such as through regional fo-  
23 rums, hearings, and other means) that provides  
24 for maximum participation and input from ex-  
25 isting national service programs within the

1 State and other interested members of the pub-  
2 lic;

3 “(B) covers a 3-year period;

4 “(C) is updated annually; and

5 “(D) contains such information as the  
6 State Commission considers to be appropriate  
7 or as the Corporation may require.

8 “(2) Preparation of the applications of the  
9 State under sections 117B and 130 for financial as-  
10 sistance.

11 “(3) Assistance in the preparation of the appli-  
12 cation of the State educational agency for assistance  
13 under section 113.

14 “(4) Preparation of the application of the State  
15 under section 130 for the approval of service posi-  
16 tions that include the national service educational  
17 award described in subtitle D.

18 “(5) Make recommendations to the Corporation  
19 with respect to priorities for programs receiving as-  
20 sistance under the Domestic Volunteer Service Act  
21 of 1973.

22 “(6) Make technical assistance available to en-  
23 able applicants under section 121—

24 “(A) to plan and implement service pro-  
25 grams; and



1           “(B) to apply for assistance under the na-  
2           tional service laws using, if appropriate, infor-  
3           mation and materials available through a clear-  
4           inghouse established under section 198A.

5           “(7) Assistance in the provision of health care  
6           and child care benefits under section 140 to partici-  
7           pants in national service programs that receive as-  
8           sistance under section 121.

9           “(8) Development of a State system for the re-  
10          cruitment and placement of participants in national  
11          service programs that receive assistance under the  
12          national service laws and dissemination of informa-  
13          tion concerning national service programs that re-  
14          ceive assistance and approved national service posi-  
15          tions.

16          “(9) Administration of the grant program in  
17          support of national service programs that is con-  
18          ducted by the State using assistance provided to the  
19          State under section 121, including selection, over-  
20          sight, and evaluation of grant recipients.

21          “(10) Development of projects, training meth-  
22          ods, curriculum materials, and other materials and  
23          activities related to national service programs that  
24          receive assistance from the State using assistance  
25          provided under section 121.

1       “(f) ACTIVITY INELIGIBLE FOR ASSISTANCE.—A  
2 State Commission may not directly carry out any national  
3 service program that receives assistance under section  
4 121.

5       “(g) DELEGATION.—Subject to such requirements as  
6 the Corporation may prescribe, a State Commission may  
7 delegate nonpolicymaking duties to a State agency or pub-  
8 lic or private nonprofit organization.

9       “(h) APPROVAL OF STATE COMMISSION OR ALTER-  
10 NATIVE.—

11           “(1) SUBMISSION TO CORPORATION.—The chief  
12 executive officer for a State shall notify the Corpora-  
13 tion of the establishment or designation of the State  
14 Commission for the State. The notification shall in-  
15 clude a description of—

16                   “(A) the composition and membership of  
17 the State Commission; and

18                   “(B) the authority of the State Commis-  
19 sion regarding national service activities carried  
20 out by the State.

21       “(2) APPROVAL OF ALTERNATIVE ADMINISTRA-  
22 TIVE ENTITY.—Any use of an alternative adminis-  
23 trative entity to carry out the duties of a State Com-  
24 mission shall be subject to the approval of the Cor-  
25 poration.

1           “(3) REJECTION.—The Corporation may reject  
2       a State Commission if the Corporation determines  
3       that the composition, membership, or duties of the  
4       State Commission do not comply with the require-  
5       ments of this section. The Corporation shall reject a  
6       request to use an alternative administrative entity in  
7       lieu of a State Commission if the Corporation deter-  
8       mines that use of the alternative administrative en-  
9       tity does not allow the individuals described in para-  
10      graphs (1) and (2) of subsection (c) to play a sig-  
11      nificant policy-making role in carrying out the duties  
12      otherwise entrusted to a State Commission. If the  
13      Corporation rejects a State Commission or alter-  
14      native administrative entity under this paragraph,  
15      the Corporation shall promptly notify the State of  
16      the reasons for the rejection.

17           “(4) RESUBMISSION AND RECONSIDERATION.—  
18      The Corporation shall provide a State notified under  
19      paragraph (3) with a reasonable opportunity to re-  
20      vise the rejected State Commission or alternative ad-  
21      ministrative entity. At the request of the State, the  
22      Corporation shall provide technical assistance to the  
23      State as part of the revision process. The Corpora-  
24      tion shall promptly reconsider any resubmission of a  
25      notification under paragraph (1) or application to

1 use an alternative administrative entity under para-  
2 graph (2).

3 “(5) SUBSEQUENT CHANGES.—This subsection  
4 shall also apply to any change in the composition or  
5 duties of a State Commission or an alternative ad-  
6 ministrative entity made after approval of the State  
7 Commission or the alternative administrative en-  
8 tity.”.

9 (b) TABLE OF CONTENTS.—Section 1(b) of the Na-  
10 tional and Community Service Act of 1990 (Public Law  
11 101–610; 104 Stat. 3127) is amended by striking the item  
12 relating to section 178 and inserting the following new  
13 item:

“Sec. 178. State Commissions on National Service.”.

14 (c) EFFECTIVE DATE.—The amendments made by  
15 this section shall take effect on the date of the enactment  
16 of this Act.

17 (d) TRANSITIONAL PROVISIONS.—

18 (1) USE OF ALTERNATIVES TO STATE COMMIS-  
19 SION.—If a State does not have a State Commission  
20 on National Service that satisfies the requirements  
21 specified in section 178 of the National and Commu-  
22 nity Services Act of 1990, as amended by subsection  
23 (a), the Corporation for National Service may au-  
24 thorize the chief executive of the State to use an ex-  
25 isting agency of the State to perform the duties oth-

1       erwise reserved to a State Commission under sub-  
2       section (e) of such section.

3           (2) APPLICATION OF SUBSECTION.—This sub-  
4       section shall apply only during the 18-month period  
5       beginning on the date of the enactment of this Act.

6       **SEC. 202. INTERIM AUTHORITIES OF THE CORPORATION**  
7                       **FOR NATIONAL SERVICE AND ACTION AGEN-**  
8                       **CY.**

9       (a) NATIONAL AND COMMUNITY SERVICE ACT OF  
10      1990.—Subtitle G of title I of the National and Commu-  
11      nity Service Act of 1990 (42 U.S.C. 12651) is amended  
12      to read as follows:

13           **“Subtitle G—Corporation for**  
14                       **National Service**

15      **“SEC. 191. CORPORATION FOR NATIONAL SERVICE.**

16           “There is established a Corporation for National  
17      Service that shall administer the programs established  
18      under this Act. The Corporation shall be a Government  
19      corporation, as defined in section 103 of title 5, United  
20      States Code.

21      **“SEC. 192. BOARD OF DIRECTORS.**

22           “(a) COMPOSITION.—

23                   “(1) IN GENERAL.—There shall be in the Cor-  
24      poration a Board of Directors (referred to in this  
25      subtitle as the ‘Board’) that shall be composed of—

1           “(A) not less than 15 members, including  
2           the Chairperson appointed under section 193,  
3           to be appointed by the President, by and with  
4           the advice and consent of the Senate; and

5           “(B) the ex officio members described in  
6           paragraph (4).

7           “(2) QUALIFICATIONS.—To the maximum ex-  
8           tent practicable, the President shall appoint mem-  
9           bers—

10           “(A) who have extensive experience in vol-  
11           unteer and service programs, including pro-  
12           grams funded under one of the national service  
13           laws, and in State government;

14           “(B) who represent a broad range of view-  
15           points;

16           “(C) who are experts in the delivery of  
17           human, educational, environmental, or public  
18           safety services;

19           “(D) so that the Board shall be diverse ac-  
20           cording to race, ethnicity, age, and gender; and

21           “(E) so that no more than 50 percent of  
22           the appointed members of the Board, plus 1 ad-  
23           ditional appointed member, are from a single  
24           political party.

1           “(3) EX OFFICIO MEMBERS.—The Secretary of  
2           Education, the Secretary of Health and Human  
3           Services, the Secretary of Labor, the Secretary of  
4           the Interior, the Secretary of Agriculture, the Sec-  
5           retary of Housing and Urban Development, the Sec-  
6           retary of Defense, the Attorney General, the Direc-  
7           tor of the Peace Corps, and the Administrator of the  
8           Environmental Protection Agency shall serve as ex  
9           officio nonvoting members of the Board.

10          “(b) TERMS.—Each appointed member of the Board  
11       shall serve for a term of 5 years, except that, as designated  
12       by the President—

13               “(1) 3 of the members first appointed to the  
14       Board shall serve for a term of 1 year;

15               “(2) 3 of the members first appointed to the  
16       Board shall serve for a term of 2 years;

17               “(3) 3 of the members first appointed to the  
18       Board shall serve for a term of 3 years;

19               “(4) 3 of the members first appointed to the  
20       Board shall serve for a term of 4 years; and

21               “(5) the remainder of the members first ap-  
22       pointed to the Board shall serve for a term of 5  
23       years.

24          “(c) VACANCIES.—As vacancies occur on the Board,  
25       new members shall be appointed by the President, by and

1 with the advice and consent of the Senate, and serve for  
2 the remainder of the term for which the predecessor of  
3 such member was appointed. The vacancy shall not affect  
4 the power of the remaining members to execute the duties  
5 of the Board.

6 **“SEC. 192A. AUTHORITIES AND DUTIES OF THE BOARD OF**  
7 **DIRECTORS.**

8 “(a) MEETINGS.—The Board shall meet not less than  
9 3 times each year. The Board shall hold additional meet-  
10 ings at the call of the Chairperson or if a majority of the  
11 members of the Board request such meetings in writing.  
12 In addition, the Board (or designated members of the  
13 Board) shall conduct periodic public hearings throughout  
14 the United States to examine and review operation of the  
15 national service laws.

16 “(b) QUORUM.—A majority of the appointed mem-  
17 bers of the Board shall constitute a quorum.

18 “(c) OFFICERS.—

19 “(1) VICE CHAIRPERSON.—The Board shall  
20 elect a Vice Chairperson from among its member-  
21 ship. The Vice Chairperson may conduct meetings of  
22 the Board in the absence of the Chairperson.

23 “(2) OTHER OFFICERS.—The Board may elect  
24 from among its membership such additional officers



1 of the Board as the Board determines to be appro-  
2 priate.

3 “(d) INSPECTOR GENERAL OVERSIGHT COMMIT-  
4 TEE.—The Board shall establish an Inspector General  
5 oversight committee (referred to in this subtitle as the  
6 ‘oversight committee’). Such committee shall be comprised  
7 of the Vice Chairperson and two members selected by the  
8 Vice Chairperson. The Chairperson shall not serve on the  
9 oversight committee.

10 “(e) EXPENSES.—While away from their homes or  
11 regular places of business on the business of the Board,  
12 members of such Board shall be allowed travel expenses,  
13 including per diem in lieu of subsistence, at rates author-  
14 ized for employees of agencies under subchapter I of chap-  
15 ter 57 of title 5, United States Code, for persons employed  
16 intermittently in the Government service.

17 “(f) SPECIAL GOVERNMENT EMPLOYEES.—For pur-  
18 poses of the provisions of chapter 11 of part I of title 18,  
19 United States Code, and any other provision of Federal  
20 law, a member of the Board (to whom such provisions  
21 would not otherwise apply except for this subsection) shall  
22 be a special Government employee.

23 “(g) STATUS OF MEMBERS.—

24 “(1) OTHER CLAIMS.—A member of the Board  
25 has no personal liability under Federal law with re-

1       spect to any claim arising out of or resulting from  
2       any act or omission by such person, within the scope  
3       of the service of the member on the Board, in con-  
4       nection with any transaction involving the provision  
5       of financial assistance by the Corporation. This  
6       paragraph shall not be construed to limit personal li-  
7       ability for criminal acts or omissions, willful or mali-  
8       cious misconduct, acts or omissions for private gain,  
9       or any other act or omission outside the scope of the  
10      service of such member on the Board.

11           “(2) EFFECT ON OTHER LAW.—This subsection  
12      shall not be construed—

13                   “(A) to affect any other immunities and  
14                   protections that may be available to such mem-  
15                   ber under applicable law with respect to such  
16                   transactions;

17                   “(B) to affect any other right or remedy  
18                   against the Corporation, against the United  
19                   States under applicable law, or against any per-  
20                   son other than a member of the Board partici-  
21                   pating in such transactions; or

22                   “(C) to limit or alter in any way the im-  
23                   munities that are available under applicable law  
24                   for Federal officials and employees not de-  
25                   scribed in this subsection.

1 “(h) DUTIES.—The Board shall—

2 “(1) prepare a strategic plan every 3 years, and  
3 annual updates of the plan, for the Corporation with  
4 respect to the grants, allotments, contracts, assist-  
5 ance, and payments made by the Corporation, and  
6 with respect to such standards, policies, procedures,  
7 programs, and initiatives as are necessary or appro-  
8 priate to carry out this Act;

9 “(2) make recommendations with respect to the  
10 regulations established under section 195(b)(3)(A);

11 “(3)(A) review the actions of the Chairperson  
12 with respect to—

13 “(i) grants, allotments, contracts, assist-  
14 ance, and payments made by the Corporation;

15 “(ii) the personnel of the Corporation; and

16 “(iii) the standards, policies, procedures,  
17 programs, and initiatives of the Corporation;  
18 and

19 “(B) inform the Chairperson of any aspects of  
20 the actions of the Chairperson that are not in com-  
21 pliance with the annual strategic plan described in  
22 paragraph (1) or the recommendations described in  
23 paragraph (2), or are not consistent with the objec-  
24 tives of this Act;

1           “(4) receive reports issued by the Inspector  
2       General of the Corporation and review actions taken  
3       by the Chairperson with respect to such reports;

4           “(5) review the evaluation of programs estab-  
5       lished under this Act, in accordance with section  
6       179;

7           “(6) make recommendations for research with  
8       respect to national and community service programs,  
9       including service-learning programs;

10          “(7) advise the President and the Congress con-  
11       cerning developments in national and community  
12       service that merit the attention of the President and  
13       the Congress;

14          “(8) disseminate information regarding the pro-  
15       grams and initiatives of the Corporation;

16          “(9) carry out any other activities determined  
17       to be appropriate by the Chairperson; and

18          “(10) for purposes of subsection (i)(2) and sec-  
19       tion 178(d)(6)(B), issue regulations to waive the dis-  
20       qualification of members of the Board and members  
21       of the State Commission (or of an alternative ad-  
22       ministrative entity) selectively in a random, non-  
23       discretionary manner and only to the extent nec-  
24       essary to establish the quorum involved, including  
25       rules that forbid each member of the Board and

1 each voting member of a State Commission (or of  
2 such entity) to participate in any discussion or deci-  
3 sion regarding the provision of assistance or ap-  
4 proved national service positions, or the continu-  
5 ation, suspension, or termination of such assistance  
6 or such positions, to any program or entity of which  
7 such member of the Board or such member of the  
8 State Commission (or of such entity) is, or in the 1-  
9 year period before the submission of such application  
10 was, an officer, director, trustee, full-time volunteer,  
11 or employee.

12 “(i) LIMITATION ON PARTICIPATION.—

13 “(1) GENERAL LIMITATION.—Except as pro-  
14 vided in paragraph (2), a member of the Board shall  
15 not participate in the administration of the grant  
16 program (including any discussion or decision re-  
17 garding the provision of assistance or approved na-  
18 tional service positions, or the continuation, suspen-  
19 sion, or termination of such assistance or such posi-  
20 tions, to any program or entity) described in section  
21 121 in any period during which there is pending be-  
22 fore the Corporation a grant application submitted  
23 by a program or entity of which such member of the  
24 Board is, or in the 1-year period before the submis-

1 sion of such application was, an officer, director,  
2 trustee, partner, full-time volunteer, or employee.

3 “(2) EXCEPTION.—If, as a result of the oper-  
4 ation of paragraph (1), the number of members of  
5 the Board is insufficient to establish a quorum for  
6 the purpose of administering such program, then  
7 members excluded from participation by paragraph  
8 (1) may participate in the administration of such  
9 program, notwithstanding the limitation in para-  
10 graph (1), to the extent permitted by regulations is-  
11 sued under subsection (h)(10) by the Corporations.

12 “(3) RULE OF CONSTRUCTION.—Paragraph (1)  
13 shall not be construed to limit the authority of a  
14 member of the Board to participate in—

15 “(A) discussions of, and hearings and fo-  
16 rums on—

17 “(i) the general duties, policies, and  
18 operations of the Commission (or of such  
19 entity); or

20 “(ii) the general administration of  
21 such program; or

22 “(B) similar general matters relating to  
23 the Corporation.

24 “(j) COORDINATION WITH OTHER FEDERAL ACTIVI-  
25 TIES.—As part of the agenda of meetings of the Board

1 under subsection (a), the Board shall review projects and  
2 programs conducted or funded by the Corporation under  
3 the national service laws to improve the coordination be-  
4 tween such projects and programs and the activities of  
5 other Federal agencies that deal with the individuals and  
6 communities participating in or benefiting from such  
7 projects and programs. The ex officio members of the  
8 Board specified in section 192(a)(3) are encouraged to  
9 jointly plan, implement, and fund activities in connection  
10 with projects and programs conducted under the national  
11 service laws to ensure that Federal efforts attempt to ad-  
12 dress the total needs of participants, their communities,  
13 and the persons and communities they serve.

14 **“SEC. 193. CHAIRPERSON AND DIRECTOR.**

15       “(a) APPOINTMENT.—The Corporation shall be head-  
16 ed by an individual who shall serve as Chairperson of the  
17 Board and as Director of the Corporation, and who shall  
18 be appointed by the President, by and with the advice and  
19 consent of the Senate.

20       “(b) COMPENSATION.—The Chairperson shall be  
21 compensated at the rate provided for level III of the Exec-  
22 utive Schedule under section 5314 of title 5, United States  
23 Code.

1       “(c) REGULATIONS.—The Chairperson shall pre-  
2 scribe such rules and regulations as are necessary or ap-  
3 propriate to carry out this Act.

4       **“SEC. 193A. AUTHORITIES AND DUTIES OF THE CHAIR-**  
5                   **PERSON.**

6       “(a) GENERAL POWERS AND DUTIES.—The Chair-  
7 person shall be responsible for the exercise of the powers  
8 and the discharge of the duties of the Corporation that  
9 are not reserved to the Board, and shall have authority  
10 and control over all personnel of the Corporation.

11       “(b) DUTIES.—In addition to the duties conferred on  
12 the Chairperson under any other provision of this Act, the  
13 Chairperson shall—

14               “(1) submit a proposal to the Board regarding,  
15 and establish, such standards, policies, and proce-  
16 dures, as are necessary or appropriate to carry out  
17 this Act;

18               “(2) establish and administer such programs  
19 and initiatives as the Chairperson, acting on the rec-  
20 ommendation of the Board, may determine to be  
21 necessary or appropriate to carry out this Act;

22               “(3) consult with appropriate Federal agencies  
23 in administering such programs and initiatives;

24               “(4) on the recommendation of the Board, sus-  
25 pend or terminate payments and positions provided



1       pursuant to the national service laws, in accordance  
2       with section 176;

3           “(5) prepare and submit to the Board an an-  
4       nual report, and such interim reports as may be nec-  
5       essary, describing the major actions of the Chair-  
6       person with respect to the personnel of the Corpora-  
7       tion, and with respect to such standards, policies,  
8       procedures, programs, and initiatives;

9           “(6) notify, and provide an explanation to, the  
10      Board regarding any substantial differences between  
11      the actions of the Chairperson and the strategic plan  
12      described in section 192A(h)(2); and

13          “(7) prepare and submit to the appropriate  
14      committees of Congress an annual report, and such  
15      interim reports as may be necessary, describing—

16           “(A) the services referred to in paragraph  
17      (1), and the money and property referred to in  
18      paragraph (2), of section 196(a) that have been  
19      accepted by the Corporation; and

20           “(B) the manner in which the Corporation  
21      used or disposed of such services, money, and  
22      property.

23      “(c) POWERS.—In addition to the authority conferred  
24      on the Chairperson under any other provision of this Act,  
25      the Chairperson may—

1           “(1) establish, alter, consolidate, or discontinue  
2           such organizational units or components within the  
3           Corporation as the Chairperson considers necessary  
4           or appropriate;

5           “(2) with the approval of the President—

6                   “(A) arrange with and reimburse the heads  
7                   of other Federal agencies for the performance  
8                   of any of the provisions of this Act; and

9                   “(B) as necessary or appropriate—

10                   “(i) delegate any of the functions of  
11                   the Chairperson under this Act, or, with  
12                   the permission of the Board, any of the  
13                   functions of the Board under this Act, to  
14                   such heads of Federal agencies; and

15                   “(ii) authorize the redelegation of  
16                   such functions,

17           subject to provisions to assure the maximum  
18           possible liaison between the Corporation and  
19           such other agencies at all operating levels;

20           “(3) with their consent, utilize the services and  
21           facilities of Federal agencies with or without reim-  
22           bursement, and, with the consent of any State, or  
23           political subdivision of a State, accept and utilize the  
24           services and facilities of the agencies of such State  
25           or subdivisions without reimbursement;

1           “(4) allocate and expend, or transfer to other  
2       Federal agencies for expenditure, funds made avail-  
3       able under this Act, including expenditure for con-  
4       struction, repairs, and capital improvements;

5           “(5) disseminate, without regard to the provi-  
6       sions of section 3204 of title 39, United States  
7       Code, data and information, in such form as the  
8       Chairperson shall determine to be appropriate to  
9       public agencies, private organizations, and the gen-  
10      eral public;

11          “(6) collect or compromise all obligations to or  
12      held by the Chairperson and all legal or equitable  
13      rights accruing to the Chairperson in connection  
14      with the payment of obligations in accordance with  
15      chapter 37 of title 31, United States Code (com-  
16      monly known as the ‘Federal Claims Collection Act  
17      of 1966’);

18          “(7) expend funds made available for purposes  
19      of this Act, without regard to any other law or regu-  
20      lation, for rent of buildings and space in buildings  
21      and for repair, alteration, and improvement of build-  
22      ings and space in buildings rented by the Chair-  
23      person;

24          “(8) file a civil action in any court of record of  
25      a State having general jurisdiction or in any district

1 court of the United States, with respect to a claim  
2 arising under this Act;

3 “(9) exercise the authorities of the Corporation  
4 under section 196; and

5 “(10) generally perform such functions and  
6 take such steps consistent with the objectives and  
7 provisions of this Act, as the Chairperson determines  
8 to be necessary or appropriate to carry out such pro-  
9 visions.

10 “(d) DELEGATION.—

11 “(1) DEFINITION.—As used in this subsection,  
12 the term ‘function’ means any duty, obligation,  
13 power, authority, responsibility, right, privilege, ac-  
14 tivity, or program.

15 “(2) IN GENERAL.—Except as otherwise pro-  
16 hibited by law or provided in this Act, the Chair-  
17 person may delegate any function under this Act,  
18 and authorize such successive redelegations of such  
19 function as may be necessary or appropriate. No del-  
20 egation of a function by the Chairperson under this  
21 subsection or under any other provision of this Act  
22 shall relieve such Chairperson of responsibility for  
23 the administration of such function.

1           “(3) FUNCTION OF BOARD.—The Chairperson  
2           may not delegate a function of the Board without  
3           the permission of the Board.

4           “(e) ACTIONS.—In an action described in subsection  
5 (c)(8)—

6           “(1) a district court referred to in such sub-  
7           section shall have jurisdiction of such a civil action  
8           without regard to the amount in controversy;

9           “(2) such an action brought by the Chairperson  
10          shall survive notwithstanding any change in the per-  
11          son occupying the office of Chairperson or any va-  
12          cancy in that office;

13          “(3) no attachment, injunction, garnishment, or  
14          other similar process, mesne or final, shall be issued  
15          against the Chairperson or the Board or property  
16          under the control of the Chairperson or the Board;  
17          and

18          “(4) nothing in this section shall be construed  
19          to except litigation arising out of activities under  
20          this Act from the application of sections 509, 517,  
21          547, and 2679 of title 28, United States Code.

22          “(f) FULL FUNDING OF COSTS TO STATE AND  
23          LOCAL GOVERNMENTS OF REQUIREMENTS UNDER NA-  
24          TIONAL SERVICE LAWS.—Notwithstanding any other pro-  
25          vision of law, a national service law may not impose any

1 requirement that a unit of State or local government con-  
2 duct an activity, unless paid for by the Federal govern-  
3 ment. However, voluntary participation by States or pro-  
4 gram sponsors may include cost-sharing formulas, health  
5 care, child care, and other allowances and other require-  
6 ments proscribed by the Act.

7 **“SEC. 194. OFFICERS.**

8 “(a) MANAGING DIRECTORS.—

9 “(1) IN GENERAL.—There shall be in the Cor-  
10 poration 2 Managing Directors, who shall be ap-  
11 pointed by the President, by and with the advice and  
12 consent of the Senate.

13 “(2) COMPENSATION.—The Managing Direc-  
14 tors shall be compensated at the rate provided for  
15 level IV of the Executive Schedule under section  
16 5315 of title 5, United States Code.

17 “(3) DUTIES.—

18 “(A) FEDERAL PROGRAMS.—One of the  
19 Managing Directors shall be primarily respon-  
20 sible for the Federal programs carried out by  
21 the Corporation.

22 “(B) INVESTMENT PROGRAMS.—The other  
23 Managing Director shall be primarily respon-  
24 sible for the financial assistance programs car-  
25 ried out by the Corporation.

1       “(b) INSPECTOR GENERAL.—There shall be in the  
2 Corporation an Office of Inspector General as provided in  
3 section 8E(a)(2) of the Inspector General Act of 1978 (5  
4 U.S.C. App.).

5       “(c) CHIEF FINANCIAL OFFICER.—

6               “(1) OFFICE.—There shall be in the Corpora-  
7 tion a Chief Financial Officer, who shall be ap-  
8 pointed by the President, by and with the advice and  
9 consent of the Senate.

10              “(2) COMPENSATION.—The Chief Financial Of-  
11 ficer shall be compensated at the rate provided for  
12 level IV of the Executive Schedule under section  
13 5315 of title 5, United States Code.

14              “(3) DUTIES.—The Chief Financial Officer  
15 shall—

16                      “(A) report directly to the Chairperson re-  
17 garding financial management matters;

18                      “(B) oversee all financial management ac-  
19 tivities relating to the programs and operations  
20 of the Corporation;

21                      “(C) develop and maintain an integrated  
22 accounting and financial management system  
23 for the Corporation, including financial report-  
24 ing and internal controls;

1           “(D) develop and maintain any joint finan-  
2           cial management systems with the Department  
3           of Education necessary to carry out the pro-  
4           grams of the Corporation; and

5           “(E) direct, manage, and provide policy  
6           guidance and oversight of the financial manage-  
7           ment personnel, activities, and operations of the  
8           Corporation.

9   **“SEC. 194A. CORPORATION STATE OFFICES.**

10       “(a) IN GENERAL.—The Chairperson shall establish  
11       and maintain a decentralized field structure which pro-  
12       vides for an office of the Corporation for each State which  
13       is located in or in reasonable proximity of each such State.  
14       Such State office may be directed by the State Corpora-  
15       tion representative designated under section 195(b)(1).

16       “(b) DUTIES.—Each State office established pursu-  
17       ant to subsection (a) shall—

18           “(1) provide to the State Commissions estab-  
19           lished under section 178 technical and other assist-  
20           ance for the development and implementation of  
21           State service plans;

22           “(2) provide to community-based agencies and  
23           other entities within the State technical assistance  
24           for the preparation of applications for assistance  
25           under the national service laws, utilizing, as appro-



1       prate, information and materials provided by the  
2       clearinghouses established pursuant to section 198A;

3           “(3) provide to the State Commission and other  
4       entities within the State support and technical as-  
5       sistance necessary to assure that there is an effective  
6       system of recruitment, placement, and training of  
7       volunteers within the State;

8           “(4) monitor and evaluate the performance of  
9       all programs and projects within the State which re-  
10      ceive assistance under the national service laws; and

11          “(5) perform such other duties and functions  
12      which may be assigned or delegated by the Chair-  
13      person.

14   **“SEC. 195. EMPLOYEES, CONSULTANTS, AND OTHER PER-**  
15                           **SONNEL.**

16          “(a) EMPLOYEES.—

17           “(1) IN GENERAL.—Except as provided in para-  
18      graph (2) and subsections (b) and (c), the Chair-  
19      person shall, in accordance with applicable provi-  
20      sions of title 5 of the United States Code, appoint  
21      and determine the compensation of such employees  
22      as the Chairperson determines to be necessary to  
23      carry out the duties of the Corporation.

24           “(2) ASSISTANT DIRECTORS FOR VISTA AND  
25      NATIONAL SENIOR VOLUNTEER CORPS.—

1           “(A) APPOINTMENT.—The Managing Di-  
2           rector primarily responsible for the Federal pro-  
3           grams carried out by the Corporation (ap-  
4           pointed pursuant to section 194(a)) shall, in ac-  
5           cordance with applicable provisions of title 5 of  
6           the United States Code, appoint 4 Assistant Di-  
7           rectors who shall report directly to such Manag-  
8           ing Director, of which—

9                   “(i) 1 Assistant Director shall be re-  
10                  sponsible for parts A and B of title I of  
11                  the Domestic Volunteer Service Act of  
12                  1973 (the Volunteers in Service to America  
13                  (VISTA) program) and other antipoverty  
14                  programs under title I of that Act;

15                  “(ii) 1 Assistant Director shall be re-  
16                  sponsible for part A of title II of that Act  
17                  (relating to the Retired Senior Volunteer  
18                  Program);

19                  “(iii) 1 Assistant Director shall be re-  
20                  sponsible for part B of title II of that Act  
21                  (relating to the Foster Grandparent Pro-  
22                  gram); and

23                  “(iv) 1 Assistant Director shall be re-  
24                  sponsible for part C of title II of that Act

1 (relating to the Senior Companion Pro-  
2 gram).

3 “(B) EFFECTIVE DATE FOR EXERCISE OF  
4 AUTHORITY.—Each Assistant Director ap-  
5 pointed pursuant to subparagraph (A) may ex-  
6 ercise the authority assigned to each such Di-  
7 rector only after the effective date of section  
8 203(b) of the National Service Trust Act of  
9 1993.

10 “(b) ALTERNATIVE PERSONNEL SYSTEM.—

11 “(1) AUTHORITY.—To the extent the Chair-  
12 person determines it appropriate and desirable to  
13 further the effective operation of the Corporation,  
14 the Chairperson may designate positions in the Cor-  
15 poration to which appointments may be made and  
16 for which compensation may be determined without  
17 regard to the provisions of title 5, United States  
18 Code, governing appointments in the competitive  
19 service, and without regard to the provisions of  
20 chapter 51 and subchapter III of chapter 53 of such  
21 title relating to classification and General Schedule  
22 pay rates. The Chairperson may provide for appoint-  
23 ments to such positions to be made on a limited  
24 term basis.

1           “(2) APPOINTMENT IN THE COMPETITIVE  
2 SERVICE AFTER EMPLOYMENT UNDER ALTERNATIVE  
3 PERSONNEL SYSTEM.—The Director of the Office of  
4 Personnel Management may grant competitive sta-  
5 tus for appointment to the competitive service, under  
6 such conditions as the Director may prescribe, to an  
7 employee who is appointed under this subsection and  
8 who is separated from the Corporation (other than  
9 by removal for cause).

10           “(3) SELECTION AND COMPENSATION SYS-  
11 TEM.—

12           “(A) ESTABLISHMENT OF SYSTEM.—The  
13 Chairperson, after reviewing the recommenda-  
14 tions of the Board under section 192A(h)(2),  
15 and after obtaining the approval of the Director  
16 of the Office of Personnel Management, shall  
17 issue regulations establishing a selection and  
18 compensation system for employees of the Cor-  
19 poration appointed under paragraph (1). In is-  
20 suing such regulations, the Chairperson shall  
21 take into consideration the need for flexibility in  
22 such a system.

23           “(B) APPLICATION.—The Chairperson  
24 shall appoint and determine the compensation  
25 of employees in accordance with the selection

1           and compensation system established under  
2           subparagraph (A).

3           “(C) SELECTION.—The system established  
4           under subparagraph (A) shall provide for the  
5           selection of employees—

6                     “(i) through a competitive process;  
7                     and

8                     “(ii) on the basis of the qualifications  
9                     of applicants and the requirements of the  
10                    positions.

11           “(D) COMPENSATION.—The system estab-  
12           lished under subparagraph (A) shall include a  
13           scheme for the classification of positions in the  
14           Corporation. The system shall require that the  
15           compensation of an employee be determined in  
16           part on the basis of the job performance of the  
17           employee, and in a manner consistent with the  
18           principles described in section 5301 of title 5,  
19           United States Code. The rate of compensation  
20           for each employee compensated under the sys-  
21           tem shall not exceed the annual rate of basic  
22           pay payable for level IV of the Executive Sched-  
23           ule under section 5315 of title 5, United States  
24           Code.

1       “(c) CORPORATION REPRESENTATIVE IN EACH  
2 STATE.—

3               “(1) APPOINTMENT OF REPRESENTATIVE.—

4       The Chairperson shall, without regard to the provi-  
5 sions of title 5, United States Code, governing ap-  
6 pointments in the competitive service, appoint an  
7 employee to serve as the representative of the Cor-  
8 poration for each State or group of States to assist  
9 the Corporation in carrying out the activities de-  
10 scribed in this Act in the State or States.

11              “(2) DUTIES.—The representative appointed  
12 under this subsection for a State or group of States  
13 shall serve as the liaison between—

14                      “(A) the Corporation and the State Com-  
15 mission that is established in the State or  
16 States; and

17                      “(B) the Corporation and any subdivision  
18 of a State, Indian tribe, public or private non-  
19 profit organization, or institution of higher edu-  
20 cation, in the State or States, that is awarded  
21 a grant under section 121 directly from the  
22 Corporation.

23              “(3) MEMBER OF STATE COMMISSION.—The  
24 representative appointed under this subsection for a  
25 State or group of States shall also serve as a voting

1 member of the State Commission established in the  
2 State or States.

3 “(4) COMPENSATION.—

4 “(A) IN GENERAL.—The Chairperson may  
5 determine the compensation of representatives  
6 appointed under this subsection without regard  
7 to the provisions of chapter 51 and subchapter  
8 III of chapter 53 of title 5, United States Code,  
9 relating to classification and General Schedule  
10 pay rates.

11 “(B) LIMITATION ON COMPENSATION.—  
12 The rate of compensation for each representa-  
13 tive appointed under this subsection shall not  
14 exceed the maximum rate of basic pay payable  
15 for GS-15 of the General Schedule under sec-  
16 tion 5332 of title 5, United States Code.

17 “(d) CONSULTANTS.—The Chairperson may procure  
18 the temporary and intermittent services of experts and  
19 consultants and compensate the experts and consultants  
20 in accordance with section 3109(b) of title 5, United  
21 States Code.

22 “(e) DETAILS OF PERSONNEL.—The head of any  
23 Federal department or agency may detail on a reimburs-  
24 able basis, or on a nonreimbursable basis for not to exceed  
25 180 calendar days during any fiscal year, as agreed upon

1 by the Chairperson and the head of the Federal agency,  
2 any of the personnel of that department or agency to the  
3 Corporation to assist the Corporation in carrying out the  
4 duties of the Corporation under this Act. Any detail shall  
5 not interrupt or otherwise affect the civil service status  
6 or privileges of the Federal employee.

7 “(f) ADVISORY COMMITTEES.—

8 “(1) ESTABLISHMENT.—The Chairperson, act-  
9 ing upon the recommendation of the Board, may es-  
10 tablish advisory committees in the Corporation to  
11 advise the Board with respect to national service is-  
12 sues, such as the type of programs to be established  
13 or assisted under the national service laws, priorities  
14 and criteria for such programs, and methods of con-  
15 ducting outreach for, and evaluation of, such pro-  
16 grams.

17 “(2) COMPOSITION.—Such an advisory commit-  
18 tee shall be composed of members appointed by the  
19 Chairperson, with such qualifications as the Chair-  
20 person may specify.

21 “(3) EXPENSES.—Members of such an advisory  
22 committee may be allowed travel expenses as de-  
23 scribed in section 192A(e).

24 “(4) STAFF.—The Chairperson is authorized to  
25 appoint and fix the compensation of such staff as



1 the Chairperson determines to be necessary to carry  
2 out the functions of the advisory committee, without  
3 regard to the provisions of title 5, United States  
4 Code, governing appointments in the competitive  
5 service, and without regard to the provisions of  
6 chapter 51 and subchapter III of chapter 53 of such  
7 title relating to classification and General Schedule  
8 pay rates. Such compensation shall not exceed the  
9 maximum rate of basic pay payable for GS-15 of  
10 the General Schedule under section 5332 of title 5,  
11 United States Code.

12 **“SEC. 196. ADMINISTRATION**

13 “(a) DONATIONS.—

14 “(1) SERVICES.—

15 “(A) VOLUNTEERS.—Notwithstanding sec-  
16 tion 1342 of title 31, United States Code, the  
17 Corporation may solicit and accept the vol-  
18 untary services of individuals to assist the Cor-  
19 poration in carrying out the duties of the Cor-  
20 poration under this Act, and may provide to  
21 such individuals the travel expenses described in  
22 section 192A(e).

23 “(B) LIMITATION.—Such a volunteer shall  
24 not be considered to be a Federal employee and  
25 shall not be subject to the provisions of law re-

1        relating to Federal employment, including those  
2        relating to hours of work, rates of compensa-  
3        tion, leave, unemployment compensation, and  
4        Federal employee benefits, except that for the  
5        purposes of subchapter I of chapter 81 of title  
6        5, United States Code, relating to compensation  
7        to Federal employees for work injuries, volun-  
8        teers under this subtitle shall be considered to  
9        be employees, as defined in section 8101(1)(B)  
10       of title 5, United States Code, and the provi-  
11       sions of such subchapter shall apply.

12       “(C) VOLUNTEER DEFINED.—For pur-  
13       poses of this paragraph, the term ‘volunteer’  
14       does not include a participant.

15       “(2) PROPERTY.—

16       “(A) SOLICITATION AND ACCEPTANCE AU-  
17       THORIZED.—The Corporation may solicit, ac-  
18       cept, hold, administer, use, and dispose of, in  
19       furtherance of the purposes of this Act, dona-  
20       tions of any money or property, real, personal,  
21       or mixed, tangible or intangible, received by  
22       gift, devise, bequest, or otherwise. Donations  
23       accepted under this subparagraph shall be used  
24       as nearly as possibly in accordance with the  
25       terms, if any, of such donation.

1           “(B) STATUS OF CONTRIBUTION.—Any do-  
2           nation accepted under subparagraph (A) shall  
3           be considered to be a gift, devise, or bequest to,  
4           or for the use of, the United States.

5           “(C) RULES.—The Corporation shall es-  
6           tablish written rules to ensure that the solicita-  
7           tion, acceptance, holding, administration, and  
8           use of donations described in subparagraph  
9           (A)—

10           “(i) will not reflect unfavorably upon  
11           the ability of the Corporation, or of any of-  
12           ficer or employee of the Corporation, to  
13           carry out the responsibilities or official du-  
14           ties of the Corporation in a fair and objec-  
15           tive manner; and

16           “(ii) will not compromise the integrity  
17           of the programs of the Corporation or any  
18           official or employee of the Corporation in-  
19           volved in such programs.

20           “(D) DISPOSITION.—Upon completion of  
21           the use by the Corporation of any donation ac-  
22           cepted pursuant to subparagraph (A) (other  
23           than money or monetary proceeds from sales of  
24           property accepted), such completion shall be re-  
25           ported to the General Services Administration

1           and such property shall be disposed of in ac-  
2           cordance with title II of the Federal Property  
3           and Administrative Services Act of 1949 (40  
4           U.S.C. 481 et seq.).

5           “(b) CONTRACTS.—Subject to the Federal Property  
6           and Administrative Services Act of 1949, the Corporation  
7           may enter into contracts, and cooperative and interagency  
8           agreements, with Federal and State agencies, private  
9           firms, institutions, and individuals to conduct activities  
10          necessary to carry out the duties of the Corporation under  
11          this Act.

12       **“SEC. 196A. LIMITATION ON AUTHORITY TO TAKE CERTAIN**  
13               **ACTIONS.**

14           “Notwithstanding any other provision of law, the  
15          Corporation or the Chairperson, as the case may be, shall  
16          not—

17               “(1) allocate, expend, or transfer to any other  
18          Federal agency funds made available under this Act  
19          for construction, repairs, or capital improvements;

20               “(2) enter into a lease for real property; or

21               “(3) dispose of surplus real property;

22          without receiving prior concurrence from the Committee  
23          on Public Works and Transportation of the House of Rep-  
24          resentatives and the Committee on Environment and Pub-  
25          lic Works of the Senate.”.

1       (b) DOMESTIC VOLUNTEER SERVICE ACT OF  
2 1973.—Section 401 of the Domestic Volunteer Service Act  
3 of 1973 (42 U.S.C. 5041) is amended by inserting after  
4 the second sentence the following: “The Director shall re-  
5 port directly to the Chairperson of the Corporation for Na-  
6 tional Service.”.

7       (c) TRANSFER OF FUNCTIONS OF COMMISSION ON  
8 NATIONAL AND COMMUNITY SERVICE.—

9           (1) DEFINITIONS.—For purposes of this sub-  
10 section, unless otherwise provided or indicated by  
11 the context, each term specified in section 203(c)(1)  
12 shall have the meaning given the term in such sec-  
13 tion.

14           (2) TRANSFER OF FUNCTIONS.—There are  
15 transferred to the Corporation the functions that the  
16 Board of Directors or Executive Director of the  
17 Commission on National and Community Service ex-  
18 exercised before the effective date of this subsection  
19 (including all related functions of any officer or em-  
20 ployee of the Commission).

21           (3) APPLICATION.—The provisions of para-  
22 graphs (3) through (10) of section 203(c) shall  
23 apply with respect to the transfer described in para-  
24 graph (2), except that—

1 (A) for purposes of such application, ref-  
2 erences to the term “ACTION Agency” shall be  
3 deemed to be references to the Corporation; and

4 (B) paragraph (10) of such section shall  
5 not preclude the transfer of the members of the  
6 Board of Directors of the Commission to the  
7 Corporation if, on the effective date of this sub-  
8 section, the Board of Directors of the Corpora-  
9 tion has not been confirmed.

10 (d) CONTINUING PERFORMANCE OF CERTAIN FUNC-  
11 TIONS.—The individuals who, on the day before the date  
12 of enactment of this Act, are performing any of the func-  
13 tions required by section 190 of the National and Commu-  
14 nity Service Act of 1990 (42 U.S.C. 12651), as in effect  
15 on such date, to be performed by the members of the  
16 Board of Directors of the Commission on National and  
17 Community Service may, subject to section 193A of the  
18 National and Community Service Act of 1990, as added  
19 by subsection (a) of this section, continue to perform such  
20 functions until the date on the Board of Directors of the  
21 Corporation for National Service conducts the first meet-  
22 ing of the Board. The service of such individuals as mem-  
23 bers of the Board of Directors of such Commission, and  
24 the employment of such individuals as special government  
25 employees, shall terminate on such date.

1 (e) GOVERNMENT CORPORATION CONTROL.—

2 (1) WHOLLY OWNED GOVERNMENT CORPORA-  
3 TION.—Section 9101(3) of title 31, United States  
4 Code, is amended by inserting after subparagraph  
5 (D) the following:

6 “(E) the Corporation for National Serv-  
7 ice.”.

8 (2) AUDITS.—Section 9105(a)(1) of title 31,  
9 United States Code, is amended by inserting “, or  
10 under other Federal law,” before “or by an inde-  
11 pendent”.

12 (f) DISPOSAL OF PROPERTY.—Section 203(k) of the  
13 Federal Property and Administrative Services Act of 1949  
14 (40 U.S.C. 484(k)) is amended by adding at the end the  
15 following:

16 “(5)(A) Under such regulations as the Administrator  
17 may prescribe, the Administrator is authorized, in the dis-  
18 cretion of the Administrator, to assign to the Chairperson  
19 of the Corporation for National Service for disposal such  
20 surplus property as is recommended by the Chairperson  
21 as being needed for national service activities.

22 “(B) Subject to the disapproval of the Administrator,  
23 within 30 days after notice to the Administrator by the  
24 Chairperson of a proposed transfer of property for such  
25 activities, the Chairperson, through such officers or em-

1 ployees of the Corporation as the Chairperson may des-  
 2 ignate, may sell, lease, or donate such property to any en-  
 3 tity that receives financial assistance under the National  
 4 and Community Service Act of 1990 for such activities.

5 “(C) In fixing the sale or lease value of such property,  
 6 the Chairperson shall comply with the requirements of  
 7 paragraph (1)(C).”.

8 (g) TABLE OF CONTENTS.—Section 1(b) of the Na-  
 9 tional and Community Service Act of 1990 (Public Law  
 10 101–610; 104 Stat. 3127) is amended by striking the  
 11 items relating to subtitle G of title I of such Act and in-  
 12 serting the following:

“Subtitle G—Corporation for National Service

“Sec. 191. Corporation for National Service.

“Sec. 192. Board of Directors.

“Sec. 192A. Authorities and duties of the Board of Directors.

“Sec. 193. Chairperson and Director.

“Sec. 193A. Authorities and duties of the Chairperson.

“Sec. 194. Officers.

“Sec. 194A. Corporation State offices.

“Sec. 195. Employees, consultants, and other personnel.

“Sec. 196. Administration.”.

13 (h) EFFECTIVE DATES.—

14 (1) IN GENERAL.—Except as provided in para-  
 15 graph (2), the amendments made by this section  
 16 shall take effect on October 1, 1993.

17 (2) ESTABLISHMENT AND APPOINTMENT AU-  
 18 THORITIES.—Sections 191, 192, and 193 of the Na-  
 19 tional and Community Service Act of 1990, as added



1 by subsection (a), shall take effect on the date of en-  
2 actment of this Act.

3 **SEC. 203. FINAL AUTHORITIES OF THE CORPORATION FOR**  
4 **NATIONAL SERVICE.**

5 (a) NATIONAL AND COMMUNITY SERVICE ACT OF  
6 1990.—

7 (1) APPLICATION.—Subtitle I of the National  
8 and Community Service Act of 1990 (as amended by  
9 section 202 of this Act) is amended in section 191,  
10 paragraphs (3) and (5) of section 192A(h), section  
11 193(c), subsections (b), (c) (other than paragraph  
12 (8)), and (d) of section 193A, subsections (c) and  
13 (e) of section 195, and subsections (a) and (b) of  
14 section 196, by striking “this Act” each place the  
15 term appears and inserting “the national service  
16 laws”.

17 (2) GRANTS.—Section 192A(h) of the National  
18 and Community Service Act of 1990 (as added by  
19 section 202 of this Act) is amended—

20 (A) by striking “and” at the end of para-  
21 graph (8);

22 (B) by redesignating paragraph (9) as  
23 paragraph (10); and

24 (C) by inserting after paragraph (8) the  
25 following:

1           “(9) notwithstanding any other provision of  
2       law, make grants to or contracts with Federal or  
3       other public departments or agencies and private  
4       nonprofit organizations for the assignment or refer-  
5       ral of volunteers under the provisions of the Domes-  
6       tic Volunteer Service Act of 1973 (except as pro-  
7       vided in section 108 of the Domestic Volunteer Serv-  
8       ice Act of 1973), which may provide that the agency  
9       or organization shall pay all or a part of the costs  
10      of the program; and”.

11       (b) AUTHORITIES OF ACTION AGENCY.—Sections  
12   401 and 402 of the Domestic Volunteer Service Act of  
13   1973 (42 U.S.C. 5041 and 5042) are repealed.

14       (c) TRANSFER OF FUNCTIONS FROM ACTION  
15   AGENCY.—

16           (1) DEFINITIONS.—For purposes of this sub-  
17   section, unless otherwise provided or indicated by  
18   the context—

19               (A) the term “Chairperson” means the  
20       Chairperson of the Corporation;

21               (B) the term “Corporation” means the  
22       Corporation for National Service, established  
23       under section 191 of the National and Commu-  
24       nity Service Act of 1990;

1 (C) the term “Federal agency” has the  
2 meaning given to the term “agency” by section  
3 551(1) of title 5, United States Code;

4 (D) the term “function” means any duty,  
5 obligation, power, authority, responsibility,  
6 right, privilege, activity, or program; and

7 (E) the term “office” includes any office,  
8 administration, agency, institute, unit, organi-  
9 zational entity, or component thereof.

10 (2) TRANSFER OF FUNCTIONS.—There are  
11 transferred to the Corporation the functions that the  
12 Director of the ACTION Agency exercised before  
13 the effective date of this subsection (including all re-  
14 lated functions of any officer or employee of the AC-  
15 TION Agency).

16 (3) DETERMINATIONS OF CERTAIN FUNCTIONS  
17 BY THE OFFICE OF MANAGEMENT AND BUDGET.—  
18 If necessary, the Office of Management and Budget  
19 shall make any determination of the functions that  
20 are transferred under paragraph (2).

21 (4) REORGANIZATION.—The Chairperson is au-  
22 thorized to allocate or reallocate any function trans-  
23 ferred under paragraph (2) among the officers of the  
24 Corporation.

1           (5) TRANSFER AND ALLOCATIONS OF APPRO-  
2           PRIATIONS AND PERSONNEL.—Except as otherwise  
3           provided in this subsection, the personnel employed  
4           in connection with, and the assets, liabilities, con-  
5           tracts, property, records, and unexpended balances  
6           of appropriations, authorizations, allocations, and  
7           other funds employed, used, held, arising from,  
8           available to, or to be made available in connection  
9           with the functions transferred by this subsection,  
10          subject to section 1531 of title 31, United States  
11          Code, shall be transferred to the Corporation. Unex-  
12          pended funds transferred pursuant to this paragraph  
13          shall be used only for the purposes for which the  
14          funds were originally authorized and appropriated.

15          (6) INCIDENTAL TRANSFER.—The Director of  
16          the Office of Management and Budget, at such time  
17          or times as the Director shall provide, is authorized  
18          to make such determinations as may be necessary  
19          with regard to the functions transferred by this sub-  
20          section, and to make such additional incidental dis-  
21          positions of personnel, assets, liabilities, grants, con-  
22          tracts, property, records, and unexpended balances  
23          of appropriations, authorizations, allocations, and  
24          other funds held, used, arising from, available to, or  
25          to be made available in connection with such func-

1 tions, as may be necessary to carry out the provi-  
2 sions of this subsection. The Director of the Office  
3 of Management and Budget shall provide for the ter-  
4 mination of the affairs of all entities terminated by  
5 this subsection and for such further measures and  
6 dispositions as may be necessary to effectuate the  
7 purposes of this subsection.

8 (7) EFFECT ON PERSONNEL.—

9 (A) IN GENERAL.—Except as otherwise  
10 provided by this subsection, the transfer pursu-  
11 ant to this subsection of full-time personnel (ex-  
12 cept special Government employees) and part-  
13 time personnel holding permanent positions  
14 shall be to positions in the Corporation subject  
15 to section 195(a)(1) of the National and Com-  
16 munity Service Act of 1990, as added by sec-  
17 tion 202(a) of this Act, and shall not cause any  
18 such employee to be separated or reduced in  
19 grade or compensation, or to have the benefits  
20 of the employee reduced, for 1 year after the  
21 date of transfer of such employee under this  
22 subsection, and such transfer shall be deemed  
23 to be a transfer of functions for purposes of  
24 section 3503 of title 5 of the United States  
25 Code.

(B) EXECUTIVE SCHEDULE POSITIONS.—

Except as otherwise provided in this subsection, any person who, on the day preceding the effective date of this subsection, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Corporation to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(C) TERMINATION OF CERTAIN POSI-

TIONS.—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred by this subsection, shall terminate on the effective date of this subsection.

(8) SAVINGS PROVISIONS.—

(A) CONTINUING EFFECT OF LEGAL DOCU-

MENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts,

1 certificates, licenses, registrations, privileges,  
2 and other administrative actions—

3 (i) that have been issued, made,  
4 granted, or allowed to become effective by  
5 the President, any Federal agency or offi-  
6 cial thereof, or by a court of competent ju-  
7 risdiction, in the performance of functions  
8 that are transferred under this subsection;  
9 and

10 (ii) that are in effect at the time this  
11 subsection takes effect, or were final before  
12 the effective date of this subsection and  
13 are to become effective on or after the ef-  
14 fective date of this subsection,

15 shall continue in effect according to their terms  
16 until modified, terminated, superseded, set  
17 aside, or revoked in accordance with law by the  
18 President, the Chairperson, or other authorized  
19 official, a court of competent jurisdiction, or by  
20 operation of law.

21 (B) PROCEEDINGS NOT AFFECTED.—The  
22 provisions of this subsection shall not affect any  
23 proceedings, including notices of proposed rule-  
24 making, or any application for any license, per-  
25 mit, certificate, or financial assistance pending

1 before the ACTION Agency at the time this  
2 subsection takes effect, with respect to func-  
3 tions transferred by this subsection but such  
4 proceedings and applications shall be continued.  
5 Orders shall be issued in such proceedings, ap-  
6 peals shall be taken therefrom, and payments  
7 shall be made pursuant to such orders, as if  
8 this subsection had not been enacted, and or-  
9 ders issued in any such proceedings shall con-  
10 tinue in effect until modified, terminated, su-  
11 perseded, or revoked by a duly authorized offi-  
12 cial, by a court of competent jurisdiction, or by  
13 operation of law. Nothing in this subparagraph  
14 shall be deemed to prohibit the discontinuance  
15 or modification of any such proceeding under  
16 the same terms and conditions and to the same  
17 extent that such proceeding could have been  
18 discontinued or modified if this subsection had  
19 not been enacted.

20 (C) SUITS NOT AFFECTED.—The provi-  
21 sions of this subsection shall not affect suits  
22 commenced before the effective date of this sub-  
23 section, and in all such suits, proceedings shall  
24 be had, appeals taken, and judgments rendered



1 in the same manner and with the same effect  
2 as if this subsection had not been enacted.

3 (D) NONABATEMENT OF ACTIONS.—No  
4 suit, action, or other proceeding commenced by  
5 or against the ACTION Agency, or by or  
6 against any individual in the official capacity of  
7 such individual as an officer of the ACTION  
8 Agency, shall abate by reason of the enactment  
9 of this subsection.

10 (E) ADMINISTRATIVE ACTIONS RELATING  
11 TO PROMULGATION OF REGULATIONS.—Any ad-  
12 ministrative action relating to the preparation  
13 or promulgation of a regulation by the AC-  
14 TION Agency relating to a function transferred  
15 under this subsection may be continued by the  
16 Corporation with the same effect as if this sub-  
17 section had not been enacted.

18 (9) SEVERABILITY.—If a provision of this sub-  
19 section or its application to any person or cir-  
20 cumstance is held invalid, neither the remainder of  
21 this subsection nor the application of the provision  
22 to other persons or circumstances shall be affected.

23 (10) TRANSITION.—Prior to, or after, any  
24 transfer of a function under this subsection, the  
25 Chairperson is authorized to utilize—

1           (A) the services of such officers, employ-  
2           ees, and other personnel of the ACTION Agen-  
3           cy with respect to functions that will be or have  
4           been transferred to the Corporation by this sub-  
5           section; and

6           (B) funds appropriated to such functions  
7           for such period of time as may reasonably be  
8           needed to facilitate the orderly implementation  
9           of this subsection.

10       (d) EFFECTIVE DATE.—

11           (1) IN GENERAL.—Except as provided in para-  
12           graph (2), this section, and the amendments made  
13           by this section, shall take effect—

14           (A) 18 months after the date of enactment  
15           of this Act; or

16           (B) on such earlier date as the President  
17           shall determine to be appropriate and announce  
18           by proclamation published in the Federal Reg-  
19           ister.

20           (2) TRANSITION.—Subsection (c)(10) shall take  
21           effect on the date of enactment of this Act.

1 **SEC. 204. ACTIONS UNDER THE NATIONAL SERVICE LAWS**  
2 **TO BE SUBJECT TO THE AVAILABILITY OF AP-**  
3 **PROPRIATIONS.**

4 No action involving the obligation or expenditure of  
5 funds may be taken under a national service law (as de-  
6 fined in section 101(14) of the National and Community  
7 Service Act of 1990 (42 U.S.C. 12511(14)) unless and  
8 until the Corporation for National Service has sufficient  
9 appropriations available at the time such action is taken  
10 to satisfy the obligation to be incurred or make the ex-  
11 penditure to be made.

12 **TITLE III—REAUTHORIZATION**  
13 **Subtitle A—National and**  
14 **Community Service Act of 1990**

15 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

16 Section 501 of the National and Community Service  
17 Act of 1990 (42 U.S.C. 12681) is amended to read as  
18 follows:

19 **“SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

20 **“(a) TITLE I.—**

21 **“(1) SUBTITLE B.—**There are authorized to be  
22 appropriated to provide financial assistance under  
23 subtitle B of title I, \$45,000,000 for fiscal year  
24 1994, and such sums as may be necessary for each  
25 of the fiscal years 1995 through 1996.

1           “(2) SUBTITLES C, D, AND H.—There are au-  
2           thorized to be appropriated to provide financial as-  
3           sistance under subtitles C and H of title I, and to  
4           provide national service educational awards under  
5           subtitle D of title I, \$389,000,000 for fiscal year  
6           1994, and such sums as may be necessary for each  
7           of the fiscal years 1995 through 1996. Of the funds  
8           appropriated under this paragraph for a fiscal year,  
9           not more than 15 percent of such funds may be  
10          made available to provide financial assistance for ac-  
11          tivities in subtitle H, section 125, or section 126.

12          “(3) ADMINISTRATION.—There are authorized  
13          to be appropriated for the administration of this Act  
14          (including subtitle G) such sums as may be nec-  
15          essary for each of the fiscal years 1994 through  
16          1996.

17          “(b) TITLE III.—There are authorized to be appro-  
18          priated to carry out title III \$5,000,000 for each of the  
19          fiscal years 1994 through 1996.

20          “(c) AVAILABILITY OF APPROPRIATIONS.—Funds ap-  
21          propriated under this section shall remain available until  
22          expended.

23          “(d) SPECIFICATION OF BUDGET FUNCTION.—The  
24          authorizations of appropriations contained in this section  
25          shall be considered to be a component of budget function

1 500 as used by the Office of Management and Budget to  
2 cover education, training, employment, and social services,  
3 and, as such, shall be considered as related to the pro-  
4 grams of the Departments of Labor, Health and Human  
5 Services, and Education for budgetary purposes.”.

6 **Subtitle B—Domestic Volunteer**  
7 **Service Act of 1973**

8 **SEC. 311. SHORT TITLE; REFERENCES.**

9 (a) SHORT TITLE.—This subtitle may be cited as the  
10 “Domestic Volunteer Service Act Amendments of 1993”.

11 (b) REFERENCES.—Except as otherwise specifically  
12 provided, whenever in this subtitle an amendment or re-  
13 peal is expressed in terms of an amendment to, or repeal  
14 of, a section or other provision, the reference shall be con-  
15 sidered to be made to a section or other provision of the  
16 Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950  
17 et seq.).

18 **CHAPTER 1—VISTA AND OTHER ANTI-**  
19 **POVERTY PROGRAMS**

20 **SEC. 321. PURPOSE OF THE VISTA PROGRAM.**

21 The last sentence of section 101 (42 U.S.C. 4951)  
22 is amended to read as follows: “In addition, the objectives  
23 of this part are to generate the commitment of private  
24 sector resources, to encourage volunteer service at the

1 local level, and to strengthen local agencies and organiza-  
2 tions to carry out the purpose of this part.”.

3 **SEC. 321A. ASSISTANT DIRECTOR FOR VISTA PROGRAM.**

4 (a) IN GENERAL.—Section 102 (42 U.S.C. 4952) is  
5 amended by striking “The Director” and inserting “This  
6 part shall be administered by the Assistant Director ap-  
7 pointed pursuant to section 195(a)(2) of the National and  
8 Community Service Act of 1990. Such Director”.

9 (b) EFFECTIVE DATE.—The amendments made by  
10 subsection (a) shall take effect on the effective date of sec-  
11 tion 203(b).

12 **SEC. 322. SELECTION AND ASSIGNMENT OF VISTA VOLUN-**  
13 **TEERS.**

14 (a) VOLUNTEER ASSIGNMENTS.—Section 103(a) (42  
15 U.S.C. 4953(a)) is amended—

16 (1) in the matter preceding paragraph (1), by  
17 striking “a public” and inserting “public”;

18 (2) in paragraph (2), by striking “and” at the  
19 end;

20 (3) in paragraph (3), by striking “illiterate or  
21 functionally illiterate youth and other individuals,”;

22 (4) in paragraph (5), by striking “and” at the  
23 end;

24 (5) in paragraph (6)—

1 (A) by striking “or the Community Eco-  
2 nomic” and inserting “the Community Eco-  
3 nomic”;

4 (B) by inserting “or other similar Acts,”  
5 after “1981,”; and

6 (C) by striking the period and inserting “;  
7 and”; and

8 (6) by adding at the end the following new  
9 paragraph:

10 “(7) in strengthening, supplementing, and ex-  
11 panding efforts to address the problem of illiteracy  
12 throughout the United States.”.

13 (b) RECRUITMENT PROCEDURES.—Section 103(b)  
14 (42 U.S.C. 4953(b)) is amended—

15 (1) in paragraph (2)—

16 (A) by amending subparagraph (A) to read  
17 as follows:

18 “(2)(A) The Director shall establish and maintain  
19 within the national headquarters of the ACTION Agency  
20 (or any successor entity of such agency) a volunteer place-  
21 ment office which shall be responsible for all functions re-  
22 lated to the recruitment and placement of volunteers  
23 under this part. Such functions and activities shall be car-  
24 ried out in coordination or in conjunction with recruitment

1 and placement activities carried out under the National  
2 Service Trust Act of 1993.”;

3 (B) by striking subparagraph (C); and

4 (C) by redesignating subparagraph (D) as  
5 subparagraph (C);

6 (2) by striking paragraphs (4) and (6); and

7 (3) by redesignating paragraphs (5) and (7) as  
8 paragraphs (4) and (6), respectively.

9 (c) PUBLIC AWARENESS AND RECRUITMENT.—Sub-  
10 section (c) of section 103 (42 U.S.C. 4953(c)) is amend-  
11 ed—

12 (1) in paragraph (1)—

13 (A) in the 1st sentence by striking “re-  
14 gional or State employees designated in sub-  
15 paragraphs (C) and (D) of subsection (b)(2)”  
16 and inserting “personnel described in sub-  
17 section (b)(2)(C)”;

18 (B) in the 2nd sentence, by striking “shall  
19 include” and inserting “may include”;

20 (C) by redesignating subparagraphs (F)  
21 and (G) as subparagraphs (G) and (H), respec-  
22 tively; and

23 (D) by inserting after subparagraph (E)  
24 the following new subparagraph:



1           “(F) publicizing educational awards avail-  
2           able under the National Service Trust Act of  
3           1993;”;

4           (2) by striking paragraphs (4) and (5); and

5           (3) by redesignating paragraph (6) as para-  
6           graph (4).

7           (d) COORDINATION WITH OTHER FEDERAL AGEN-  
8           CIES.—Section 103 (42 U.S.C. 4953) is amended by add-  
9           ing at the end the following new subsection:

10          “(h) The Director is encouraged to enter into agree-  
11          ments with other Federal agencies to use VISTA volun-  
12          teers in furtherance of program objectives that are consist-  
13          ent with the purposes described in section 101.”.

14       **SEC. 323. TERMS AND PERIODS OF SERVICE.**

15          (a) CLARIFICATION AND PERIODS OF SERVICE.—  
16          Subsection (b) of section 104 (42 U.S.C. 4954(b)) is  
17          amended to read as follows:

18          “(b)(1) Volunteers serving under this part may be en-  
19          rolled initially for periods of service of not less than 1 year,  
20          nor more than 2 years, except as provided in paragraph  
21          (2) or subsection (e).

22          “(2) Volunteers serving under this part may be en-  
23          rolled for periods of service of less than 1 year if the Direc-  
24          tor determines, on an individual basis, that a period of

1 service of less than 1 year is necessary to meet a critical  
2 scarce skill need.

3 “(3) Volunteers serving under this part may be  
4 reenrolled for periods of service in a manner to be deter-  
5 mined by the Director. No volunteer shall serve for more  
6 than a total of 5 years under this part.”.

7 (b) SUMMER PROGRAM.—Section 104 (42 U.S.C.  
8 4954) is amended by adding at the end the following new  
9 subsection:

10 “(e)(1) Notwithstanding any other provision of this  
11 part, the Director may enroll full-time VISTA summer as-  
12 sociates in a program for the summer months only, under  
13 such terms and conditions as the Director shall determine  
14 to be appropriate. Such individuals shall be assigned to  
15 projects that meet the criteria set forth in section 103(a).

16 “(2) In preparing reports relating to programs under  
17 this Act, the Director shall report on participants, costs,  
18 and accomplishments under the summer program sepa-  
19 rately.

20 “(3) The limitation on funds appropriated for grants  
21 and contracts, as contained in section 108, shall not apply  
22 to the summer program.”.

23 **SEC. 324. SUPPORT FOR VISTA VOLUNTEERS.**

24 (a) POSTSERVICE STIPEND.—Section 105(a)(1) (42  
25 U.S.C. 4955(a)(1)) is amended—

1 (1) by inserting “(A)” after “(a)(1)”; and

2 (2) by striking the second sentence and insert-  
3 ing the following:

4 “(B) Such stipend shall not exceed \$95 per month  
5 in fiscal year 1994, but shall be set at a minimum of \$100  
6 per month during the service of the volunteer after Oc-  
7 tober 1, 1994. The Director may provide a stipend of a  
8 maximum of \$200 per month in the case of persons who  
9 have served as volunteers under this part for at least 1  
10 year and who, in accordance with standards established  
11 in such regulations as the Director shall prescribe, have  
12 been designated volunteer leaders on the basis of experi-  
13 ence and special skills and a demonstrated leadership  
14 among volunteers.

15 “(C) The Director shall not provide a stipend under  
16 this subsection to an individual who elects to receive a na-  
17 tional service education award under subtitle D of title I  
18 of the National and Community Service Act of 1990.”.

19 (b) SUBSISTENCE ALLOWANCE.—Section 105(b) (42  
20 U.S.C. 4955(b)) is amended—

21 (1) in paragraph (3)—

22 (A) by striking subparagraph (A);

23 (B) in subparagraph (B), by striking the  
24 subparagraph designation; and

1 (C) by adding at the end the following new  
2 sentence: “The Director shall review such ad-  
3 justments on an annual basis to ensure that the  
4 adjustments are current.”; and  
5 (2) by striking paragraph (4).

6 **SEC. 325. PARTICIPATION OF YOUNGER AND OLDER PER-**  
7 **SONS.**

8 Section 107 (42 U.S.C. 4957) is amended to read as  
9 follows:

10 **“SEC. 107. PARTICIPATION OF YOUNGER AND OLDER PER-**  
11 **SONS.**

12 “In carrying out this part and part C, the Director  
13 shall take necessary steps, including the development of  
14 special projects, where appropriate, to encourage the full-  
15 est participation of individuals 18 through 27 years of age,  
16 and individuals 55 years of age and older, in the various  
17 programs and activities authorized under such parts.”.

18 **SEC. 326. LITERACY ACTIVITIES.**

19 Section 109 (42 U.S.C. 4959) is amended—

20 (1) in subsection (g)—

21 (A) by striking paragraph (1); and

22 (B) by striking the paragraph designation  
23 of paragraph (2); and

24 (2) in subsection (h)—

1 (A) in paragraph (1) by striking “para-  
2 graphs (2) and (3)” and inserting “paragraph  
3 (2)”; and

4 (B) by striking paragraph (3).

5 **SEC. 327. APPLICATIONS FOR ASSISTANCE.**

6 Section 110 (42 U.S.C. 4960) is amended to read as  
7 follows:

8 **“SEC. 110. APPLICATIONS FOR ASSISTANCE.**

9 “In reviewing an application for assistance under this  
10 part, the Director shall not deny such assistance to any  
11 project or program, or any public or private nonprofit or-  
12 ganization, solely on the basis of the duration of the assist-  
13 ance such project, program, or organization has received  
14 under this part prior to the date of submission of the ap-  
15 plication. The Director shall grant assistance under this  
16 part on the basis of merit and to accomplish the goals  
17 of the VISTA program, and shall consider the needs and  
18 requirements of projects in existence on such date as well  
19 as potential new projects.”.

20 **SEC. 328. REPEAL OF AUTHORITY FOR STUDENT COMMU-**  
21 **NITY SERVICE PROGRAMS.**

22 Part B of title I (42 U.S.C. 4971 et seq.) is amended  
23 by repealing section 114 (42 U.S.C. 4974).

1 **SEC. 329. UNIVERSITY YEAR FOR VISTA.**

2 (a) PROGRAM TITLE.—Part B of title I (42 U.S.C.  
3 4971 et seq.) is amended—

4 (1) in the part heading to read as follows:

5 “PART B—UNIVERSITY YEAR FOR VISTA”;

6 (2) by striking “University Year for ACTION”  
7 each place that such term appears in such part and  
8 inserting “University Year for VISTA”;

9 (3) by striking “UYA” each place that such  
10 term appears in such part and inserting “UYV”;  
11 and

12 (4) in section 112 (42 U.S.C. 4972) by striking  
13 the section heading and inserting the following new  
14 section heading:

15 “AUTHORITY TO OPERATE UNIVERSITY YEAR FOR VISTA  
16 PROGRAM”.

17 (b) SPECIAL CONDITIONS.—Section 113(a) (42  
18 U.S.C. 4973(a)) is amended—

19 (1) by striking “of not less than the duration  
20 of an academic year” and inserting “of not less than  
21 the duration of an academic semester or its equiva-  
22 lent”; and

23 (2) by adding at the end the following new sen-  
24 tence: “Volunteers may receive a living allowance  
25 and such other support or allowances as the Director  
26 determines to be appropriate.”.

1 **SEC. 330. AUTHORITY TO ESTABLISH AND OPERATE SPE-**  
2 **CIAL VOLUNTEER AND DEMONSTRATION**  
3 **PROGRAMS.**

4 Section 122 (42 U.S.C. 4992) is amended to read as  
5 follows:

6 **“SEC. 122. AUTHORITY TO ESTABLISH AND OPERATE SPE-**  
7 **CIAL VOLUNTEER AND DEMONSTRATION**  
8 **PROGRAMS.**

9 “(a) IN GENERAL.—The Director is authorized to  
10 conduct special volunteer programs for demonstration pro-  
11 grams, or award grants to or enter into contracts with  
12 public or nonprofit organizations to carry out such pro-  
13 grams. Such programs shall encourage wider volunteer  
14 participation on a full-time, part-time, or short-term basis  
15 to further the purpose of this part, and identify particular  
16 segments of the poverty community that could benefit  
17 from volunteer and other antipoverty efforts.

18 “(b) ASSIGNMENT AND SUPPORT OF VOLUNTEERS.—  
19 The assignment of volunteers under this section, and the  
20 provision of support for such volunteers, including any  
21 subsistence allowances and stipends, shall be on such  
22 terms and conditions as the Director shall determine to  
23 be appropriate, but shall not exceed the level of support  
24 provided under section 105. Projects using volunteers who  
25 do not receive stipends may also be supported under this  
26 section.

1       “(c) CRITERIA AND PRIORITIES.—In carrying out  
2 this section and section 123, the Director shall establish  
3 criteria and priorities for awarding grants and entering  
4 into contracts under this part in each fiscal year. No grant  
5 or contract exceeding \$100,000 shall be made under this  
6 part unless the recipient of the grant or contractor has  
7 been selected by a competitive process that includes public  
8 announcement of the availability of funds for such grant  
9 or contract, general criteria for the selection of recipients  
10 or contractors, and a description of the application process  
11 and application review process.”.

12 **SEC. 331. TECHNICAL AND FINANCIAL ASSISTANCE.**

13       Section 123 (42 U.S.C. 4993) is amended to read as  
14 follows:

15 **“SEC. 123. TECHNICAL AND FINANCIAL ASSISTANCE.**

16       “The Director may provide technical and financial as-  
17 sistance to Federal agencies, State and local governments  
18 and agencies, private nonprofit organizations, employers,  
19 and other private organizations that utilize or desire to  
20 utilize volunteers in carrying out the purpose of this  
21 part.”.

22 **SEC. 332. ELIMINATION OF SEPARATE AUTHORITY FOR**  
23 **DRUG ABUSE PROGRAMS.**

24       Section 124 (42 U.S.C. 4994) is repealed.



**CHAPTER 2—NATIONAL SENIOR  
VOLUNTEER CORPS**

**SEC. 341. NATIONAL SENIOR VOLUNTEER CORPS.**

(a) TITLE HEADING.—The heading for title II is amended to read as follows:

“TITLE II—NATIONAL SENIOR VOLUNTEER  
CORPS”.

(b) REFERENCES.—

(1) Section 200(1) (42 U.S.C. 5000(1)) is amended by striking “Older American Volunteer Programs” and inserting “National Senior Volunteer Corps”.

(2) The heading for section 221 (42 U.S.C. 5021) is amended by striking “OLDER AMERICAN VOLUNTEER PROGRAMS” and inserting “NATIONAL SENIOR VOLUNTEER CORPS”.

(3) Section 224 (42 U.S.C. 5024) is amended—

(A) in the section heading by striking “OLDER AMERICAN VOLUNTEER PROGRAMS” and inserting “NATIONAL SENIOR VOLUNTEER CORPS”; and

(B) by striking “volunteer projects for Older Americans” and inserting “National Senior Volunteer Corps projects”.

1           (4) Section 205(c) of the Older Americans  
2       Amendments of 1975 (Public Law 94–135; 89 Stat.  
3       727; 42 U.S.C. 5001 note) is amended by striking  
4       “national older American volunteer programs” each  
5       place the term appears and inserting “National Sen-  
6       ior Volunteer Corps programs”.

7   **SEC. 342. THE RETIRED AND SENIOR VOLUNTEER PRO-**  
8                           **GRAM.**

9       (a) PART HEADING.—The heading for part A of title  
10   II is amended by striking “RETIRED SENIOR VOLUNTEER  
11   PROGRAM” and inserting “RETIRED AND SENIOR VOLUN-  
12   TEER PROGRAM”.

13       (b) REFERENCES.—Section 200 (42 U.S.C. 5000) is  
14   amended by striking “retired senior volunteer program”  
15   each place that such term appears in such section and the  
16   Act and inserting “Retired and Senior Volunteer Pro-  
17   gram”.

18   **SEC. 343. OPERATION OF THE RETIRED AND SENIOR VOL-**  
19                           **UNTEER PROGRAM.**

20       Section 201(a) (42 U.S.C. 5001(a)) is amended—

21           (1) in the matter preceding paragraph (1) by  
22       striking “retired persons” and inserting “retired in-  
23       dividuals and working older individuals”; and

24           (2) in paragraph (2)—

1 (A) by striking “aged sixty or over” and  
2 inserting “55 years of age or older”; and

3 (B) by inserting “, and individuals 60  
4 years of age or older will be given priority for  
5 enrollment,” after “enrolled”.

6 **SEC. 344. SERVICES UNDER THE FOSTER GRANDPARENT**  
7 **PROGRAM.**

8 Section 211(a) (42 U.S.C. 5011(a)) is amended by  
9 striking “, including services” and all that follows through  
10 “with special needs.” and inserting a period and the fol-  
11 lowing: “Such services may include services by individuals  
12 serving as foster grandparents to children with disabilities  
13 and chronic health conditions and to children who are re-  
14 ceiving care in hospitals, who are residing in homes for  
15 dependent and neglected children, or who are receiving  
16 services provided by day care centers, schools, Head Start  
17 agencies, early intervention programs, family support pro-  
18 grams, or other programs, establishments, or institutions  
19 providing services for children with special or exceptional  
20 needs. Individual foster grandparents may provide person-  
21 to-person services to one or more children, depending on  
22 the need for such services.”.

23 **SEC. 345. STIPENDS FOR LOW-INCOME VOLUNTEERS.**

24 Section 211(d) (42 U.S.C. 5011(d)) is amended—

1           (1) in the second sentence by striking “Any sti-  
2       pend or allowance provided under this subsection  
3       shall not be less than \$2.20 per hour until October  
4       1, 1990, \$2.35 per hour during fiscal year 1991,  
5       and \$2.50 per hour on and after October 1, 1992,”  
6       and inserting “Any stipend or allowance provided  
7       under this section shall not be less than \$2.45 per  
8       hour on and after October 1, 1993, and shall be ad-  
9       justed once prior to December 31, 1997, to account  
10      for inflation, as determined by the Director and  
11      rounded to the nearest five cents,”; and

12           (2) by adding at the end the following:  
13    “In establishing the amount of, and the effective date for,  
14    such adjustment, the Director, in consultation with the  
15    State commissions (as defined in section 178 of the Na-  
16    tional and Community Service Act of 1990) and the heads  
17    of the State offices established under section 195 of such  
18    Act, shall consider the effect such adjustment will have  
19    on the ability of non-Federally funded volunteer programs  
20    similar to the programs under this title to maintain their  
21    current level of volunteer hours.”.

22    **SEC. 346. CONDITIONS OF GRANTS AND CONTRACTS.**

23       Section 212(a) (42 U.S.C. 5012(a)) is amended—

24           (1) by striking paragraph (1), and

25           (2) in paragraph (2)—

1 (A) by striking “(2)(A)” and inserting  
2 “(1)”,

3 (B) in paragraph (1), as so redesignated—

4 (i) by redesignating clauses (i) and  
5 (ii) as subparagraphs (A) and (B), respec-  
6 tively; and

7 (ii) by redesignating subclauses (I)  
8 and (II) as clauses (i) and (ii), respec-  
9 tively; and

10 (C) by striking “(B)” and inserting “(2)”.

11 **SEC. 347. AGREEMENTS WITH OTHER FEDERAL AGENCIES.**

12 (a) PROMOTION.—Section 221(a) (42 U.S.C.  
13 5021(a)) is amended—

14 (1) by striking “(a)” and inserting “(a)(1)”;  
15 and

16 (2) by adding at the end the following:

17 “(2) To the maximum extent practicable, the Direc-  
18 tor shall enter into agreements with—

19 “(A) the Department of Health and Human  
20 Services to—

21 “(i) involve retired and senior volunteers,  
22 and foster grandparents, in Head Start pro-  
23 grams;

24 “(ii) involve retired and senior volunteers,  
25 and senior companions, in providing services

1 authorized by title III of the Older Americans  
2 Act of 1965; and

3 “(iii) promote the recognition of such vol-  
4 unteers who are qualified to provide in-home  
5 services for reimbursement under title XVIII of  
6 the Social Security Act for providing such serv-  
7 ices;

8 “(B) the Department of Education to promote  
9 intergenerational tutoring and mentoring for at-risk  
10 children; and

11 “(C) the Environmental Protection Agency to  
12 support conservation efforts.”.

13 (b) MINIMUM EXPENDITURE.—Section 221(b)(3) (42  
14 U.S.C. 5021(b)(3)) is amended by striking “\$250,000”  
15 and inserting “\$500,000”.

16 **SEC. 348. MINORITY GROUP PARTICIPATION.**

17 Section 223 (42 U.S.C. 5023) is amended by adding  
18 at the end the following:

19 “Such efforts shall include using methods appropriate to  
20 communicate with individuals who have limited English  
21 proficiency.”.

22 **SEC. 349. PROGRAMS OF NATIONAL SIGNIFICANCE.**

23 Section 225 (42 U.S.C. 5025) is amended—

1           (1) in subsection (a)(2)(B) by striking “para-  
2       graph (10)” and inserting “paragraphs (10), (12),  
3       (15), and (16)”;

4           (2) in subsection (b), by adding at the end the  
5       following new paragraphs:

6           “(12) Programs that address environmental  
7       needs.

8           “(13) Programs that reach out to organizations  
9       (such as labor unions and profit-making organiza-  
10      tions) not previously involved in addressing national  
11      problems of local concern.

12          “(14) Programs that provide for outreach to in-  
13      crease participation of members of ethnic groups  
14      who have limited English proficiency.

15          “(15) Programs that support criminal justice  
16      activities and juvenile justice activities.

17          “(16) Programs that involve older volunteers  
18      working with young people in apprenticeship pro-  
19      grams.

20          “(17) Programs that support the community in-  
21      tegration of individuals with disabilities.

22          “(18) Programs that provide health, education,  
23      and welfare services that augment the activities of  
24      State and local agencies, to be carried out in a fiscal  
25      year for which the aggregate amount of funds avail-

1       able to such agencies is not less than the annual av-  
2       erage aggregate amount of funds available to such  
3       agencies for the period of 3 fiscal years preceding  
4       such fiscal year.”;

5           (3) in subsection (c)(1), by striking “under this  
6       title”; and

7           (4) in subsection (d), by striking paragraph (1)  
8       and inserting the following new paragraph:

9       “(1) Except as provided in paragraph (2), from the  
10      amounts appropriated under subsection (a), (b), (c), or (d)  
11      of section 502, for each fiscal year there shall be available  
12      to the Director such sums as may be necessary to make  
13      grants under subsection (a).”.

14   **SEC. 350. DEMONSTRATION PROGRAMS.**

15       Title II is amended by adding at the end the follow-  
16      ing:

17           “PART E—DEMONSTRATION PROGRAMS

18   **“SEC. 231. AUTHORITY OF DIRECTOR.**

19       “(a) IN GENERAL.—The Director is authorized to  
20      make grants to or enter into contracts with public or non-  
21      profit private agencies and organizations, including orga-  
22      nizations funded under part A, B, or C, for the purposes  
23      of demonstrating innovative activities involving older indi-  
24      viduals as volunteers. The Director may support under



1 this part both volunteers receiving stipends and volunteers  
2 not receiving stipends.

3 “(b) ACTIVITIES.—An organization that receives a  
4 grant or enters into a contract under subsection (a) may  
5 use funds made available through the grant or contract  
6 for activities such as—

7 “(1) linking youth groups, and organizations  
8 whose members are older individuals, in volunteer  
9 activities;

10 “(2) involving older volunteers in programs and  
11 activities different from those currently supported in  
12 the community; and

13 “(3) testing whether programs for older volun-  
14 teers may contribute to achieving new objectives or  
15 to carrying out certain national priorities.”.

### 16 **CHAPTER 3—ADMINISTRATION**

#### 17 **SEC. 361. PURPOSE OF AGENCY.**

18 Section 401 (42 U.S.C. 5041) is amended—

19 (1) by inserting after the first sentence the fol-  
20 lowing: “This Agency shall also promote the coordi-  
21 nation of volunteer efforts among Federal, State,  
22 and local agencies and organizations, exchange tech-  
23 nical assistance information among them, and pro-  
24 vide technical assistance to other nations concerning

1 domestic volunteer programs within their coun-  
2 tries.”; and

3 (2) by striking “Older American Volunteer Pro-  
4 grams” each place the term appears and inserting  
5 “National Senior Volunteer Corps”.

6 **SEC. 362. AUTHORITY OF THE DIRECTOR.**

7 Section 402 (42 U.S.C. 5042) is amended in para-  
8 graphs (5) and (6) by inserting “solicit and” before “ac-  
9 cept” in each such paragraph.

10 **SEC. 362A. POLITICAL ACTIVITIES.**

11 Section 403 (42 U.S.C. 5043) is amended—

12 (1) by redesignating subsections (b)(2) and (c)  
13 as subsections (c) and (d), respectively;

14 (2) in subsection (c), as so redesignated, by re-  
15 designating subparagraphs (A) and (B) as para-  
16 graphs (1) and (2), respectively; and

17 (3) by striking subsection (b)(1) and inserting  
18 the following:

19 “(b)(1) Programs assisted under this Act shall not  
20 be carried on in a manner involving the use of funds, the  
21 provision of services, or the employment or assignment of  
22 personnel in a manner supporting or resulting in the iden-  
23 tification of such programs with—

24 “(A) any partisan or nonpartisan political activ-  
25 ity associated with a candidate, or a contending fac-

1       tion or group, in an election for public or party of-  
2       fice;

3           “(B) any activity to provide voters or prospec-  
4       tive voters with transportation to the polls or similar  
5       assistance in connection with any such election; or

6           “(C) any voter registration activity;

7       except that programs assisted under this Act may make  
8       voter registration applications and nonpartisan voter reg-  
9       istration information available to the public on the prem-  
10      ises of such programs.

11       “(2) In carrying out any voter registration activity  
12      permitted under paragraph (1), an individual who is affili-  
13      ated with, or employed to carry out, a program assisted  
14      under this Act shall not—

15           “(A) indicate a preference with respect to any  
16      candidate, political party, or election issue; or

17           “(B) seek to influence the political or party af-  
18      filiation, or voting decision, of any individual.”.

19   **SEC. 363. COMPENSATION FOR VOLUNTEERS.**

20       Section 404 (42 U.S.C. 5044) is amended—

21           (1) in subsection (c), by inserting “from such  
22      volunteers or from beneficiaries” after “compensa-  
23      tion”;

24           (2) by striking subsection (f); and

1           (3) by redesignating subsection (g) as sub-  
2       section (f).

3       **SEC. 364. REPEAL OF REPORT.**

4       Section 407 (42 U.S.C. 5047) is repealed.

5       **SEC. 365. APPLICATION OF FEDERAL LAW.**

6       Section 415(b)(4)(A) (42 U.S.C. 5055(b)(4)(A)) is  
7       amended by striking “a grade GS–7 employee” and insert-  
8       ing “an employee at grade GS–5 of the General Schedule  
9       under section 5332 of title 5, United States Code”.

10      **SEC. 366. NONDISCRIMINATION PROVISIONS.**

11      Section 417 (42 U.S.C. 5057) is amended to read as  
12      follows:

13      **“SEC. 417. NONDISCRIMINATION PROVISIONS.**

14      “(a) IN GENERAL.—

15          “(1) BASIS.—An individual with responsibility  
16          for the operation of a program that receives assist-  
17          ance under this Act shall not discriminate against a  
18          participant in, or member of the staff of, such pro-  
19          gram on the basis of race, color, national origin, sex,  
20          age, or political affiliation of such participant or  
21          member, or on the basis of disability, if the partici-  
22          pant or member is a qualified individual with a dis-  
23          ability.

24          “(2) DEFINITION.—As used in paragraph (1),  
25          the term ‘qualified individual with a disability’ has

1 the meaning given the term in section 101(8) of the  
2 Americans with Disabilities Act of 1990 (42 U.S.C.  
3 12111(8)).

4 “(b) FEDERAL FINANCIAL ASSISTANCE.—Any assist-  
5 ance provided under this Act shall constitute Federal fi-  
6 nancial assistance for purposes of title VI of the Civil  
7 Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX  
8 of the Education Amendments of 1972 (20 U.S.C. 1681  
9 et seq.), section 504 of the Rehabilitation Act of 1973 (29  
10 U.S.C. 794), and the Age Discrimination Act of 1975 (42  
11 U.S.C. 6101 et seq.).

12 “(c) RELIGIOUS DISCRIMINATION.—

13 “(1) IN GENERAL.—Except as provided in para-  
14 graph (2), an individual with responsibility for the  
15 operation of a program that receives assistance  
16 under this Act shall not discriminate on the basis of  
17 religion against a participant in such program or a  
18 member of the staff of such program who is paid  
19 with funds received under this Act.

20 “(2) EXCEPTION.—Paragraph (1) shall not  
21 apply to the employment, with assistance provided  
22 under this Act, of any member of the staff, of a pro-  
23 gram that receives assistance under this Act, who  
24 was employed with the organization operating the

1 program on the date the grant under this Act was  
2 awarded.

3 “(d) RULES AND REGULATIONS.—The Director shall  
4 promulgate rules and regulations to provide for the en-  
5 forcement of this section that shall include provisions for  
6 summary suspension of assistance for not more than 30  
7 days, on an emergency basis, until notice and an oppor-  
8 tunity to be heard can be provided.”.

9 **SEC. 367. ELIMINATION OF SEPARATE REQUIREMENTS FOR**  
10 **SETTING REGULATIONS.**

11 Section 420 (42 U.S.C. 5060) is repealed.

12 **SEC. 368. CLARIFICATION OF ROLE OF INSPECTOR GEN-**  
13 **ERAL.**

14 Section 422 (42 U.S.C. 5062) is amended—

15 (1) in subsection (a), by inserting “or the In-  
16 spector General” after “Director”; and

17 (2) in subsection (b), by inserting “, the Inspec-  
18 tor General,” after “Director” each place that such  
19 term appears.

20 **SEC. 369. COPYRIGHT PROTECTION.**

21 Title IV is amended by adding at the end, the follow-  
22 ing new section:

23 **“SEC. 425. PROTECTION AGAINST IMPROPER USE.**

24 “Whoever falsely—

25 “(1) advertises or represents; or

1           “(2) publishes or displays any sign, symbol, or  
2       advertisement, reasonably calculated to convey the  
3       impression,  
4       that an entity is affiliated with, funded by, or operating  
5       under the authority of ACTION, VISTA, or any of the  
6       programs of the National Senior Volunteer Corps may be  
7       enjoined under an action filed by the Attorney General,  
8       on a complaint by the Director.”.

9       **SEC. 372. DEPOSIT REQUIREMENT CREDIT FOR SERVICE AS**  
10           **A VOLUNTEER.**

11       (a) CIVIL SERVICE RETIREMENT SYSTEM.—

12           (1) CREDITABLE SERVICE.—Section 8332(j) of  
13       title 5, United States Code, is amended—

14           (A) in paragraph (1)—

15           (i) in the first sentence, by inserting  
16           “the period of an individual’s service as a  
17           full-time volunteer enrolled in a program of  
18           at least 1 year’s duration under part A, B,  
19           or C of title I of the Domestic Volunteer  
20           Service Act of 1973,” after “Economic Op-  
21           portunity Act of 1964,”;

22           (ii) in the second sentence, by insert-  
23           ing “, as a full-time volunteer enrolled in  
24           a program of at least 1 year’s duration  
25           under part A, B, or C of title I of the Do-

1           mestic Volunteer Service Act of 1973,”  
2           after “Economic Opportunity Act of  
3           1964”; and

4           (iii) in the last sentence—

5                   (I) by inserting “or under part  
6                   A, B, or C of title I of the Domestic  
7                   Volunteer Service Act of 1973” after  
8                   “Economic Opportunity Act of 1964”;  
9                   and

10                   (II) by inserting “or the Chair-  
11                   person of the Corporation for Na-  
12                   tional Service, as appropriate,” after  
13                   “Director of the Office of Economic  
14                   Opportunity”; and

15           (B) by adding at the end the following new  
16           paragraph:

17           “(3) The provisions of paragraph (1) relating to cred-  
18           it for service as a volunteer or volunteer leader under the  
19           Economic Opportunity Act of 1964, part A, B, or C of  
20           title I of the Domestic Volunteer Service Act of 1973, or  
21           the Peace Corps Act shall not apply to any period of serv-  
22           ice as a volunteer or volunteer leader of an employee or  
23           Member with respect to which the employee or Member  
24           has made the deposit with interest, if any, required by sec-  
25           tion 8334(l).”.



1           (2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOS-  
2       ITS.—

3           (A) IN GENERAL.—Section 8334 of title 5,  
4       United States Code, is amended by adding at  
5       the end the following new subsection:

6       “(l)(1) Each employee or Member who has performed  
7       service as a volunteer or volunteer leader under part A  
8       of title VIII of the Economic Opportunity Act of 1964,  
9       as a full-time volunteer enrolled in a program of at least  
10      1 year’s duration under part A, B, or C of title I of the  
11      Domestic Volunteer Service Act of 1973, or as a volunteer  
12      or volunteer leader under the Peace Corps Act before the  
13      date of the separation on which the entitlement to any  
14      annuity under this subchapter is based may pay, in ac-  
15      cordance with such regulations as the Office of Personnel  
16      Management shall issue, an amount equal to 7 percent  
17      of the readjustment allowance paid to the employee or  
18      Member under title VIII of the Economic Opportunity Act  
19      of 1964 or section 5(c) or 6(1) of the Peace Corps Act  
20      or the stipend paid to the employee or Member under part  
21      A, B, or C of title I of the Domestic Volunteer Service  
22      Act of 1973, for each period of service as such a volunteer  
23      or volunteer leader.

24       “(2) Any deposit made under paragraph (1) more  
25      than 2 years after the later of—

1           “(A) October 1, 1993; or

2           “(B) the date on which the employee or Mem-  
3       ber making the deposit first becomes an employee or  
4       Member,

5 shall include interest on such amount computed and  
6 compounded annually beginning on the date of the expira-  
7 tion of the 2-year period. The interest rate that is applica-  
8 ble in computing interest in any year under this paragraph  
9 shall be equal to the interest rate that is applicable for  
10 such year under subsection (e).

11       “(3) The Director of the Peace Corps and the Chair-  
12 person of the Corporation for National Service shall fur-  
13 nish such information to the Office of Personnel Manage-  
14 ment as the Office may determine to be necessary for the  
15 administration of this subsection.”.

16           (B) CONFORMING AMENDMENT.—Section  
17       8334(e) of title 5, United States Code, is  
18       amended in paragraphs (1) and (2) by striking  
19       “or (k)” each place that such term appears and  
20       inserting “(k), or (l)”.

21       (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

22           (1) CREDITABLE SERVICE.—Section 8411 of  
23       title 5, United States Code, is amended—

1 (A) in subsection (b)(3), by striking “sub-  
2 section (f)” and inserting “subsection (f) or  
3 (h)”; and

4 (B) by adding at the end the following new  
5 subsection:

6 “(h) An employee or Member shall be allowed credit  
7 for service as a volunteer or volunteer leader under part  
8 A of title VIII of the Economic Opportunity Act of 1964,  
9 as a full-time volunteer enrolled in a program of at least  
10 1 year’s duration under part A, B, or C of title I of the  
11 Domestic Volunteer Service Act of 1973, or as a volunteer  
12 or volunteer leader under the Peace Corps Act performed  
13 at any time prior to the separation on which the entitle-  
14 ment to any annuity under this subchapter is based if the  
15 employee or Member has made a deposit with interest, if  
16 any, with respect to such service under section 8422(f).”.

17 (2) DEDUCTIONS, CONTRIBUTIONS.—Section  
18 8422 of title 5, United States Code, is amended by  
19 adding at the end the following new subsection:

20 “(f)(1) Each employee or Member who has performed  
21 service as a volunteer or volunteer leader under part A  
22 of title VIII of the Economic Opportunity Act of 1964,  
23 as a full-time volunteer enrolled in a program of at least  
24 1 year’s duration under part A, B, or C of title I of the  
25 Domestic Volunteer Service Act of 1973, or as a volunteer

1 or volunteer leader under the Peace Corps Act before the  
2 date of the separation on which the entitlement to any  
3 annuity under this subchapter, or subchapter V of this  
4 chapter, is based may pay, in accordance with such regula-  
5 tions as the Office of Personnel Management shall issue,  
6 an amount equal to 3 percent of the readjustment allow-  
7 ance paid to the employee or Member under title VIII of  
8 the Economic Opportunity Service Act of 1964 or section  
9 5(c) or 6(1) of the Peace Corps Act or the stipend paid  
10 to the employee or Member under part A, B, or C of title  
11 I of the Domestic Volunteer Service Act of 1973, for each  
12 period of service as such a volunteer or volunteer leader.

13 “(2) Any deposit made under paragraph (1) more  
14 than 2 years after the later of—

15 “(A) October 1, 1993, or

16 “(B) the date on which the employee or Mem-  
17 ber making the deposit first becomes an employee or  
18 Member,

19 shall include interest on such amount computed and  
20 compounded annually beginning on the date of the expira-  
21 tion of the 2-year period. The interest rate that is applica-  
22 ble in computing interest in any year under this paragraph  
23 shall be equal to the interest rate that is applicable for  
24 such year under section 8334(e).

1       “(3) The Director of the Peace Corps and the Chair-  
2 person of the Corporation for National Service shall fur-  
3 nish such information to the Office of Personnel Manage-  
4 ment as the Office may determine to be necessary for the  
5 administration of this subsection.”.

6       (c) APPLICABILITY AND OTHER PROVISIONS.—

7           (1) APPLICABILITY.—

8           (A) AMENDMENTS RELATING TO CSRS.—

9           (i) IN GENERAL.—The amendments  
10 made by subsection (a) shall apply with re-  
11 spect to any individual entitled to an annu-  
12 ity on the basis of a separation from serv-  
13 ice occurring on or after the effective date  
14 of this subtitle.

15           (ii) RULES RELATING TO ANNUITIES  
16 BASED ON EARLIER SEPARATIONS.—An  
17 annuity under subchapter III of chapter 83  
18 of title 5, United States Code, payable to  
19 an individual based on a separation from  
20 service occurring before the effective date  
21 of this subtitle shall be subject to the pro-  
22 visions of paragraph (2).

23           (B) AMENDMENTS RELATING TO FERS.—

24           (i) IN GENERAL.—The amendments  
25 made by subsection (b) shall apply with re-

1           spect to any individual entitled to an annu-  
2           ity on the basis of a separation from serv-  
3           ice occurring before, on, or after the effec-  
4           tive date of this subtitle, subject to clause  
5           (ii).

6           (ii) RULE RELATING TO ANNUITIES  
7           BASED ON EARLIER SEPARATIONS.—In the  
8           case of any individual whose entitlement to  
9           an annuity is based on a separation from  
10          service occurring before the effective date  
11          of this subtitle, any increase in such indi-  
12          vidual's annuity on the basis of a deposit  
13          made under section 8442(f) of title 5,  
14          United States Code, as amended by sub-  
15          section (b)(2), shall be effective beginning  
16          with the annuity payment payable for the  
17          first calendar month beginning after the  
18          effective date of this subtitle.

19          (2) SPECIAL RULES.—

20           (A) OLD-AGE OR SURVIVORS INSURANCE  
21          BENEFITS.—Subject to subparagraph (B), in  
22          any case in which an individual described in  
23          paragraph (1)(A)(ii) is also entitled to old-age  
24          or survivors insurance benefits under section  
25          202 of the Social Security Act (or would be en-

1           titled to such benefits upon filing an application  
2           therefor), the amount of the annuity to which  
3           such individual is entitled under subchapter III  
4           of chapter 83 of title 5, United States Code  
5           (after taking into account any creditable service  
6           as a volunteer or volunteer leader under the  
7           Economic Opportunity Act of 1964, the Domes-  
8           tic Volunteer Service Act of 1973, or the Peace  
9           Corps Act) which is payable for any month  
10          shall be reduced by an amount determined by  
11          multiplying the amount of such old-age or sur-  
12          vivors insurance benefit for the determination  
13          month by a fraction—

14               (i) the numerator of which is the total  
15               of the wages (within the meaning of sec-  
16               tion 209 of the Social Security Act) for  
17               service as a volunteer or volunteer leader  
18               under the Economic Opportunity Act of  
19               1964, the Domestic Volunteer Service Act  
20               of 1973, or the Peace Corps Act of such  
21               individual credited for years before the cal-  
22               endar year in which the determination  
23               month occurs, up to the contribution and  
24               benefit base determined under section 230  
25               of the Social Security Act (or other appli-

1 cable maximum annual amount referred to  
2 in section 215(e)(1) of such Act for each  
3 such year); and

4 (ii) the denominator of which is the  
5 total of all wages described in clause (i),  
6 plus all other wages (within the meaning of  
7 section 209 of such Act) and all self-em-  
8 ployment income (within the meaning of  
9 section 211(b) of such Act) of such individ-  
10 ual credited for years after 1936 and be-  
11 fore the calendar year in which the deter-  
12 mination month occurs, up to the contribu-  
13 tion and benefit base (or such other  
14 amount referred to in section 215(e)(1) of  
15 such Act for each such year.

16 (B) LIMITATIONS.—

17 (i) Subparagraph (A) shall not reduce  
18 the annuity of an individual below the  
19 amount of the annuity which would be pay-  
20 able to the individual for the determination  
21 month if the provisions of section 8332(j)  
22 of title 5, United States Code, relating to  
23 service as a volunteer or volunteer leader,  
24 applied to the individual for such month.



1           (ii) Subparagraph (A) shall not apply  
2           in the case of an individual who, prior to  
3           the date of enactment of this Act, made a  
4           deposit for under section 8334(c) of title 5,  
5           United States Code, with respect to service  
6           as a volunteer or volunteer leader (as de-  
7           scribed in subparagraph (A)).

8           (iii) DETERMINATION MONTH.—For  
9           purposes of this paragraph, the term “de-  
10          termination month” means—

11                   (I) the first month the individual  
12                   described in paragraph (1)(A)(ii) is  
13                   entitled to old-age or survivors bene-  
14                   fits under section 202 of the Social  
15                   Security Act (or would be entitled to  
16                   such benefits upon filing an applica-  
17                   tion therefor); or

18                   (II) the first calendar month be-  
19                   ginning after the date of enactment of  
20                   this Act, in the case of any individual  
21                   entitled to such benefits for such  
22                   month.

23           (iv) RULE RELATING TO ANNUITIES  
24           BASED ON EARLIER SEPARATIONS.—Any  
25           increase in an annuity which occurs by vir-

1            tue of the enactment of this paragraph  
2            shall be effective beginning with the annu-  
3            ity payment payable for the first calendar  
4            month beginning after the effective date of  
5            this subtitle.

6            (3) FURNISHING OF INFORMATION.—The Sec-  
7            retary of Health and Human Services shall furnish  
8            such information to the Office of Personnel Manage-  
9            ment as may be necessary to carry out this sub-  
10          section.

11          (4) ACTION TO INFORM INDIVIDUALS.—The Di-  
12          rector of the Office of Personnel Management shall  
13          take such action as may be necessary and appro-  
14          priate to inform individuals entitled to credit under  
15          this section for service as a volunteer or volunteer  
16          leader, or to have any annuity recomputed, or to  
17          make a deposit under this section, of such entitle-  
18          ment.

19    **CHAPTER 4—AUTHORIZATION OF APPRO-**  
20    **PRIATIONS AND OTHER AMENDMENTS**

21    **SEC. 381. AUTHORIZATION OF APPROPRIATIONS FOR**  
22                                    **TITLE I.**

23          Section 501 (42 U.S.C. 5081) is amended to read as  
24    follows:

1 **“SEC. 501. NATIONAL VOLUNTEER ANTIPOVERTY PRO-**  
2 **GRAMS.**

3 “(a) AUTHORIZATIONS.—

4 “(1) VOLUNTEERS IN SERVICE TO AMERICA.—  
5 There are authorized to be appropriated to carry out  
6 parts A and B of title I, excluding section 109,  
7 \$56,000,000 for fiscal year 1994, and such sums as  
8 may be necessary for each of the fiscal years 1995  
9 through 1996.

10 “(2) LITERACY ACTIVITIES.—There are author-  
11 ized to be appropriated to carry out section 109,  
12 such sums as may be necessary for each of the fiscal  
13 years 1994 through 1996.

14 “(3) SPECIAL VOLUNTEER PROGRAMS.—There  
15 are authorized to be appropriated to carry out part  
16 C of title I, excluding section 125, such sums as may  
17 be necessary for each of the fiscal years 1994  
18 through 1996.

19 “(4) LITERACY CHALLENGE GRANTS.—There  
20 are authorized to be appropriated to carry out sec-  
21 tion 125, such sums as may be necessary for each  
22 of the fiscal years 1994 through 1996.

23 “(5) SPECIFICATION OF BUDGET FUNCTION.—  
24 The authorizations of appropriations contained in  
25 this subsection shall be considered to be a compo-  
26 nent of budget function 500 as used by the Office

1 of Management and Budget to cover education,  
2 training, employment and social services, and, as  
3 such, shall be considered as related to the programs  
4 of the Departments of Labor, Health and Human  
5 Services, and Education for budgetary purposes.

6 “(b) SUBSISTENCE.—The minimum level of an allow-  
7 ance for subsistence required under section 105(b)(2), to  
8 be provided to each volunteer under title I, may not be  
9 reduced or limited in order to provide for an increase in  
10 the number of volunteer service years under part A of title  
11 I.

12 “(c) LIMITATION.—No part of the funds appro-  
13 priated to carry out part A of title I may be used to pro-  
14 vide volunteers or assistance to any program or project  
15 authorized under part B or C of title I, or under title II,  
16 unless the program or project meets the antipoverty cri-  
17 teria of part A of title I.

18 “(d) AVAILABILITY.—Amounts appropriated for part  
19 A of title I shall remain available for obligation until the  
20 end of the fiscal year following the fiscal year for which  
21 the amounts were appropriated.

22 “(e) VOLUNTEER SERVICE REQUIREMENT.—

23 “(1) VOLUNTEER SERVICE YEARS.—Of the  
24 amounts appropriated under this section for parts A,  
25 B, and C of title I, including section 125, there shall

1 first be available for part A of title I, including sec-  
2 tions 104(e) and 109, an amount not less than the  
3 amount necessary to provide 3,700 volunteer service  
4 years in fiscal year 1994, 4,000 volunteer service  
5 years in fiscal year 1995, and 4,500 volunteer serv-  
6 ice years in fiscal year 1996.

7 “(2) PLAN.—If the Director determines that  
8 funds appropriated to carry out part A, B, and C of  
9 title I are insufficient to provide for the years of vol-  
10 unteer service required by paragraph (1), the Direc-  
11 tor shall submit a plan to the relevant authorizing  
12 and appropriations committees of Congress that will  
13 detail what is necessary to fully meet this require-  
14 ment.”.

15 **SEC. 382. AUTHORIZATION OF APPROPRIATIONS FOR**  
16 **TITLE II.**

17 Section 502 (42 U.S.C. 5082) is amended to read as  
18 follows:

19 **“SEC. 502. NATIONAL SENIOR VOLUNTEER CORPS.**

20 **“(a) RETIRED AND SENIOR VOLUNTEER PRO-**  
21 **GRAM.—**There are authorized to be appropriated to carry  
22 out part A of title II, \$53,100,000 for fiscal year 1994,  
23 and such sums as may be necessary for each of the fiscal  
24 years 1995 through 1996.

1       “(b) FOSTER GRANDPARENT PROGRAM.—There are  
2 authorized to be appropriated to carry out part B of title  
3 II, \$98,200,000 for fiscal year 1994, and such sums as  
4 may be necessary for each of the fiscal years 1995 through  
5 1996.

6       “(c) SENIOR COMPANION PROGRAM.—There are au-  
7 thorized to be appropriated to carry out part C of title  
8 II, \$48,700,000 for fiscal year 1994, and such sums as  
9 may be necessary for each of the fiscal years 1995 through  
10 1996.

11       “(d) DEMONSTRATION PROGRAMS.—There are au-  
12 thorized to be appropriated to carry out part E of title  
13 II, such sums as may be necessary for each of the fiscal  
14 years 1994 through 1996.”.

15 **SEC. 383. AUTHORIZATION OF APPROPRIATIONS FOR**  
16 **TITLE IV.**

17       Section 504 (42 U.S.C. 5084) is amended to read as  
18 follows:

19 **“SEC. 504. ADMINISTRATION AND COORDINATION.**

20       “(a) IN GENERAL.—For each of the fiscal years 1994  
21 through 1996, there are authorized to be appropriated for  
22 the administration of this Act as provided for in title IV,  
23 21 percent of the total amount appropriated under sec-  
24 tions 501 and 502 with respect to such year.

1       “(b) EVALUATION.—For each of the fiscal years  
 2 1994 through 1996, the Director is authorized to expend  
 3 not less than 2½ percent, and not more than 5 percent,  
 4 of the amount appropriated under subsection (a), for the  
 5 purposes prescribed in section 416.”.

6 **SEC. 384. CONFORMING AMENDMENTS; COMPENSATION**  
 7 **FOR VISTA FECA CLAIMANTS.**

8       Section 8143(b) of title 5, United States Code, is  
 9 amended by striking “GS-7” and inserting “GS-5 of the  
 10 General Schedule under section 5332 of title 5, United  
 11 States Code”.

12 **SEC. 385. REPEAL OF AUTHORITY.**

13       Title VII (42 U.S.C. 5091 et seq.) is repealed.

14 **CHAPTER 5—GENERAL PROVISIONS**

15 **SEC. 391. TECHNICAL AND CONFORMING AMENDMENTS.**

16       The Domestic Volunteer Service Act of 1973 (42  
 17 U.S.C. 4950 et seq.) is amended by striking “That this  
 18 Act” and all that follows through the end of the table of  
 19 contents and inserting the following:

20 **“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

21       “(a) SHORT TITLE.—This Act may be cited as the  
 22 ‘Domestic Volunteer Service Act of 1973’.

23       “(b) TABLE OF CONTENTS.—The table of contents  
 24 is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Volunteerism policy.

“TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

“PART A—VOLUNTEERS IN SERVICE TO AMERICA

- “Sec. 101. Statement of purpose.
- “Sec. 102. Authority to operate VISTA program.
- “Sec. 103. Selection and assignment of volunteers.
- “Sec. 104. Terms and periods of service.
- “Sec. 105. Support service.
- “Sec. 106. Participation of beneficiaries.
- “Sec. 107. Participation of younger and older persons.
- “Sec. 108. Limitation.
- “Sec. 109. VISTA Literacy Corps.
- “Sec. 110. Applications for assistance.

“PART B—UNIVERSITY YEAR FOR VISTA

- “Sec. 111. Statement of purpose.
- “Sec. 112. Authority to operate University Year for VISTA program.
- “Sec. 113. Special conditions.

“PART C—SPECIAL VOLUNTEER PROGRAMS

- “Sec. 121. Statement of purpose.
- “Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
- “Sec. 123. Technical and financial assistance for improvement of volunteer programs.
- “Sec. 125. Literacy challenge grants.

“TITLE II—NATIONAL SENIOR VOLUNTEER CORPS

- “Sec. 200. Statement of purposes.

“PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM

- “Sec. 201. Grants and contracts for volunteer service projects.

“PART B—FOSTER GRANDPARENT PROGRAM

- “Sec. 211. Grants and contracts for volunteer service projects.
- “Sec. 212. Conditions of grants and contracts.

“PART C—SENIOR COMPANION PROGRAM

- “Sec. 213. Grants and contracts for volunteer service projects.

“PART D—GENERAL PROVISIONS

- “Sec. 221. Promotion of National Senior Volunteer Corps.
- “Sec. 222. Payments.
- “Sec. 223. Minority group participation.
- “Sec. 224. Use of locally generated contributions in National Senior Volunteer Corps.
- “Sec. 225. Programs of national significance.
- “Sec. 226. Adjustments to Federal financial assistance.
- “Sec. 227. Multiyear grants or contracts.

“PART E—DEMONSTRATION PROGRAMS



“Sec. 231. Authority of Director.

“TITLE IV—ADMINISTRATION AND COORDINATION

“Sec. 403. Political activities.

“Sec. 404. Special limitations.

“Sec. 406. Labor standards.

“Sec. 408. Joint funding.

“Sec. 409. Prohibition of Federal control.

“Sec. 410. Coordination with other programs.

“Sec. 411. Prohibition.

“Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.

“Sec. 414. Distribution of benefits between rural and urban areas.

“Sec. 415. Application of Federal law.

“Sec. 416. Evaluation.

“Sec. 417. Nondiscrimination provisions.

“Sec. 418. Eligibility for other benefits.

“Sec. 419. Legal expenses.

“Sec. 421. Definitions.

“Sec. 422. Audit.

“Sec. 423. Reduction of paperwork.

“Sec. 424. Review of project renewals.

“Sec. 425. Protection against improper use.

“Sec. 426. Center for Research and Training.

“TITLE V—AUTHORIZATION OF APPROPRIATIONS

“Sec. 501. National volunteer antipoverty programs.

“Sec. 502. National Senior Volunteer Corps.

“Sec. 504. Administration and coordination.

“Sec. 505. Availability of appropriations.

“TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

“Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.

“Sec. 602. Creditable service for civil service retirement.

“Sec. 603. Repeal of title VIII of the Economic Opportunity Act.

“Sec. 604. Repeal of title VI of the Older Americans Act.”.

**1 SEC. 392. EFFECTIVE DATE.**

2       This subtitle shall become effective on October 1,  
3 1993.

1       **TITLE IV—TECHNICAL AND**  
2       **CONFORMING AMENDMENTS**

3       **SEC. 401. DEFINITION OF DIRECTOR.**

4       Section 421 of the Domestic Volunteer Service Act  
5       of 1973 (42 U.S.C. 5061) is amended by striking para-  
6       graph (1) and inserting the following new paragraph:

7               “(1) the term ‘Director’ means the Chairperson  
8       and Director of the Corporation for National Service  
9       appointed under section 193 of the National and  
10      Community Service Act of 1990;”.

11      **SEC. 402. REFERENCES TO ACTION AND THE ACTION**  
12                                   **AGENCY.**

13      (a) DOMESTIC VOLUNTEER SERVICE ACT OF  
14      1973.—

15              (1) Section 2(b) of the Domestic Volunteer  
16      Service Act of 1973 (42 U.S.C. 4950(b)) is amend-  
17      ed—

18                      (A) by striking “ACTION, the Federal do-  
19      mestic volunteer agency,” and inserting “this  
20      Act”; and

21                      (B) by striking “ACTION” and inserting  
22      “the Corporation for National Service”.

23              (2) Section 125(b) of such Act (42 U.S.C.  
24      4995(b)) is amended by striking “the ACTION  
25      Agency” and inserting “the Corporation”.

1           (3) Section 225(e) of such Act (42 U.S.C.  
2       5025(e)) is amended by striking “the ACTION  
3       Agency” and inserting “the Corporation”.

4           (4) Section 403(a) of such Act (42 U.S.C.  
5       5043(a)) is amended—

6                 (A) by striking “the ACTION Agency” the  
7       first place it appears and inserting “the Cor-  
8       poration under this Act”; and

9                 (B) by striking “the ACTION Agency” the  
10      second place it appears and inserting “the Cor-  
11      poration”.

12          (5) Section 408 of such Act (42 U.S.C. 5048)  
13      is amended by striking “the ACTION Agency” and  
14      inserting “the Corporation”.

15          (6) Section 425 of such Act (as added by sec-  
16      tion 369 of this Act) is further amended by striking  
17      “ACTION” and inserting “the Corporation”.

18      (b) ADMINISTRATION ON CHILDREN, YOUTH, AND  
19      FAMILIES.—Section 916(b) of the Claude Pepper Young  
20      Americans Act of 1990 (42 U.S.C. 12312(b)) is amended  
21      by striking “the Director of the ACTION Agency” and  
22      inserting “the Chairperson of the Corporation for Na-  
23      tional Service”.

1 (c) INSPECTOR GENERAL.—Section 8E(a)(2) of the  
2 Inspector General Act of 1978 (5 U.S.C. App.) is amend-  
3 ed—

4 (1) by striking “ACTION,”; and

5 (2) by inserting “the Corporation for National  
6 Service (except as provided in section 194(b) of the  
7 National and Community Service Act of 1990),”  
8 after “the Consumer Product Safety Commission,”.

9 (d) PUBLIC HOUSING SECURITY.—Section 207(c) of  
10 the Public Housing Security Demonstration Act of 1978  
11 (Public Law 95–557; 92 Stat. 2093; 12 U.S.C. 1701z–  
12 6 note) is amended—

13 (1) in paragraph (3)(ii), by striking “ACTION”  
14 and inserting “the Corporation for National Serv-  
15 ice”; and

16 (2) in paragraph (4), by striking “ACTION”  
17 and inserting “the Corporation for National Serv-  
18 ice”.

19 (e) NATIONAL FOREST VOLUNTEERS.—The first sec-  
20 tion of the Volunteers in the National Forests Act of 1972  
21 (16 U.S.C. 558a) is amended by striking “ACTION” and  
22 inserting “the Corporation for National Service”.

23 (f) PEACE CORPS.—Section 2A of the Peace Corps  
24 Act (22 U.S.C. 2501–1) is amended by inserting after

1 “the ACTION Agency” the following: “, the successor to  
2 the ACTION Agency,”.

3 (g) INDIAN ECONOMIC DEVELOPMENT.—Section 502  
4 of the Indian Financing Act of 1974 (25 U.S.C. 1542)  
5 is amended by striking “and ACTION” and inserting “,  
6 the Corporation for National Service,”.

7 (h) OLDER AMERICANS.—The Older Americans Act  
8 of 1965 is amended—

9 (1) in section 202(c)(1) (42 U.S.C. 3012(c)(1)),  
10 by striking “the Director of the ACTION Agency”  
11 and inserting “the Corporation for National Serv-  
12 ice”;

13 (2) in section 203(a)(1) (42 U.S.C.  
14 3013(a)(1)), by striking “the ACTION Agency” and  
15 inserting “the Corporation for National Service”;  
16 and

17 (3) in section 422(b)(12)(C) (42 U.S.C.  
18 3035a(b)(12)(C)), by striking “the ACTION Agen-  
19 cy” and inserting “the Corporation for National  
20 Service”.

21 (i) VISTA SERVICE EXTENSION.—Section 101(c)(1)  
22 of the Domestic Volunteer Service Act Amendments of  
23 1989 (Public Law 101–204; 103 Stat. 1810; 42 U.S.C.  
24 4954 note) is amended by striking “Director of the AC-

1 TION Agency” and inserting “Chairperson of the Cor-  
2 poration for National Service”.

3 (j) AGING RESOURCE SPECIALISTS.—Section 205(c)  
4 of the Older Americans Amendments of 1975 (Public Law  
5 94–135; 89 Stat. 727; 42 U.S.C. 5001 note) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “the ACTION Agency,”  
8 and inserting “the Corporation for National  
9 Service,”; and

10 (B) by striking “the Director of the AC-  
11 TION Agency” and inserting “the Chairperson  
12 of the Corporation”;

13 (2) in paragraph (2)(A), by striking “ACTION  
14 Agency” and inserting “Corporation”; and

15 (3) in paragraph (3), by striking subparagraph  
16 (A) and inserting the following new subparagraph:

17 “(A) the term ‘Corporation’ means the Cor-  
18 poration for National Service established by section  
19 191 of the National and Community Service Act of  
20 1990.”.

21 (k) PROMOTION OF PHOTOVOLTAIC ENERGY.—Sec-  
22 tion 11(a) of the Solar Photovoltaic Energy Research, De-  
23 velopment, and Demonstration Act of 1978 (42 U.S.C.  
24 5590) is amended by striking “the Director of ACTION,”.

1       (l) COORDINATING COUNCIL ON JUVENILE JUSTICE.—Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended by striking “the Director of the ACTION Agency” and inserting “the Chairperson of the Corporation for National Service”.

7       (m) ENERGY CONSERVATION.—Section 413(b)(1) of the Energy Conservation and Production Act (42 U.S.C. 6863(b)(1)) is amended by striking “the Director of the ACTION Agency,”.

11       (n) INTERAGENCY COUNCIL ON THE HOMELESS.—Section 202(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11312(a)) is amended by striking paragraph (12) and inserting the following new paragraph:

16               “(12) The Chairperson of the Corporation for National Service, or the designee of the Chairperson.”.

19       (o) ANTI-DRUG ABUSE.—Section 3601 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11851) is amended by striking paragraph (5) and inserting the following new paragraph:

23               “(5) the term ‘Director’ means the Chairperson and Director of the Corporation for National Service,”.

1 **SEC. 403. DEFINITIONS.**

2 Section 421 of the Domestic Volunteer Service Act  
3 of 1973 (42 U.S.C. 5061) is amended—

4 (1) by striking “and” at the end of paragraph  
5 (6);

6 (2) by striking the period at the end of para-  
7 graph (7) and inserting a semicolon; and

8 (3) by adding at the end the following new  
9 paragraphs:

10 “(8) the term ‘Corporation’ means the Corpora-  
11 tion for National Service established under section  
12 191 of the National and Community Service Act of  
13 1990;

14 “(9) the term ‘foster grandparent’ means a vol-  
15 unteer in the Foster Grandparent Program;

16 “(10) the term ‘Foster Grandparent Program’  
17 means the program established under part B of title  
18 II;

19 “(11) the term ‘Inspector General’ means the  
20 Inspector General of the Corporation;

21 “(12) the term ‘national senior volunteer’  
22 means a volunteer in the National Senior Volunteer  
23 Corps;

24 “(13) the term ‘National Senior Volunteer  
25 Corps’ means the programs established under parts  
26 A, B, C, and E of title II;



1           “(14) the term ‘Retired and Senior Volunteer  
2       Program’ means the program established under part  
3       A of title II;

4           “(15) the term ‘retired or senior volunteer’  
5       means a volunteer in the Retired and Senior Volun-  
6       teer Program;

7           “(16) the term ‘senior companion’ means a vol-  
8       unteer in the Senior Companion Program;

9           “(17) the term ‘Senior Companion Program’  
10       means the program established under part C of title  
11       II;

12           “(18) the terms ‘VISTA’ and ‘Volunteers in  
13       Service to America’ mean the program established  
14       under part A of title I; and

15           “(19) the term ‘VISTA volunteer’ means a vol-  
16       unteer in VISTA.”.

17       **SEC. 404. REFERENCES TO THE COMMISSION ON NATIONAL**  
18                               **AND COMMUNITY SERVICE.**

19       (a) NATIONAL DEFENSE AUTHORIZATION ACT FOR  
20       FISCAL YEAR 1993.—

21           (1) Section 1092(b) of the National Defense  
22       Authorization Act for Fiscal Year 1993 (42 U.S.C.  
23       12653a note) is amended—

24           (A) in paragraph (1)—

1 (i) by striking “Commission on Na-  
2 tional Community Service” and inserting  
3 “Corporation for National Service”; and

4 (ii) by striking “Commission shall pre-  
5 pare” and inserting “Board of Directors of  
6 the Corporation shall prepare”; and

7 (B) in paragraph (2), by striking “Board  
8 of Directors of the Commission on National and  
9 Community Service” and inserting “Board of  
10 Directors of the Corporation for National Serv-  
11 ice”.

12 (2) Section 1093(a) of such Act (42 U.S.C.  
13 12653a note) is amended by striking “the Board of  
14 Directors and Executive Director of the Commission  
15 on National and Community Service” and inserting  
16 “the Board of Directors and Chairperson of the Cor-  
17 poration for National Service”.

18 (3) Section 1094 of such Act (Public Law 102-  
19 484; 106 Stat. 2535) is amended—

20 (A) in the title, by striking “**COMMISSION**  
21 **ON NATIONAL AND COMMUNITY SERVICE**”  
22 and inserting “**CORPORATION FOR NA-**  
23 **TIONAL SERVICE**”;

24 (B) in subsection (a)—

1 (i) in the heading, by striking “COM-  
2 MISSION” and inserting “CORPORATION”;

3 (ii) in the first sentence, by striking  
4 “Commission on National and Community  
5 Service” and inserting “Corporation for  
6 National Service”; and

7 (iii) in the second sentence, by strik-  
8 ing “The Commission” and inserting “The  
9 Chairperson of the Corporation”; and  
10 (C) in subsection (b)—

11 (i) in paragraph (1), by striking  
12 “Board of Directors of the Commission on  
13 National and Community Service” and in-  
14 serting “Chairperson of the Corporation  
15 for National Service”; and

16 (ii) in paragraph (2), by striking “the  
17 Commission” and inserting “the Chair-  
18 person of the Corporation for National  
19 Service”.

20 (4) Section 1095 of such Act (Public Law 102–  
21 484; 106 Stat. 2535) is amended in the heading for  
22 subsection (b) by striking “COMMISSION ON NA-  
23 TIONAL AND COMMUNITY SERVICE” and inserting  
24 “CORPORATION FOR NATIONAL SERVICE”.

1           (5) Section 2(b) of such Act (Public Law 102–  
2       484; 106 Stat. 2315) is amended by striking the  
3       item relating to section 1094 of such Act and insert-  
4       ing the following:

“Sec. 1094. Other programs of the Corporation for National Service.”.

5       (b) NATIONAL AND COMMUNITY SERVICE ACT OF  
6       1990.—

7           (1) Sections 159(b)(2) (as redesignated in sec-  
8       tion 104(b)(3) of this Act) and 165 (as redesignated  
9       in section 104(b)(3) of this Act), subsections (a) and  
10      (b) of section 172, sections 176(a) and 177(c), and  
11      subsections (a), (b), and (d) through (h) of section  
12      179, of the National and Community Service Act of  
13      1990 (42 U.S.C. 12653h(b)(2), 12653n, 12632 (a)  
14      and (b), 12636(a), 12637(c), and 12639 (a), (b),  
15      and (d) through (h)) are each amended by striking  
16      the term “Commission” each place the term appears  
17      and inserting “Corporation”.

18          (2) Sections 152, 157(b)(2), 159(b),  
19      162(a)(2)(C), 164, and 166(1) of such Act (in each  
20      case, as redesignated in section 104(b)(3) of this  
21      Act) (42 U.S.C. 12653a, 12653f(b)(2), 12653h(b),  
22      12653k(a)(2)(C), 12653m, and 12653o(1)) are each  
23      amended by striking “Commission on National and  
24      Community Service” and inserting “Corporation”.

1           (3) Section 163(b)(9) of such Act (as redesignig-  
2           nated in section 104(b)(3) of this Act) (42 U.S.C.  
3           12635l(b)(9)) is amended by striking “Chair of the  
4           Commission on National and Community Service”  
5           and inserting “Chairperson”.

6           (4) Section 303(a) of such Act (42 U.S.C.  
7           12662(a)) is amended—

8                   (A) by striking “The President” and in-  
9                   serting “The President, acting through the Cor-  
10                  poration,”;

11                  (B) by inserting “in furtherance of activi-  
12                  ties under section 302” after “section 501(b)”;  
13                  and

14                  (C) by striking “the President” both places  
15                  it appears and inserting “the Corporation”.

16 **SEC. 405. REFERENCES TO DIRECTORS OF THE COMMIS-**  
17 **SION ON NATIONAL AND COMMUNITY**  
18 **SERVICE.**

19           (a) CHAIRPERSON.—

20           (1) Section 159(a) of such Act (as redesignated  
21           in section 104(b)(3) of this Act) (42 U.S.C.  
22           12653h(b)) is amended—

23                   (A) by striking “BOARD.—The Board”  
24                   and inserting “SUPERVISION.—The Chair-  
25                   person”;

1 (B) by striking “the Board” in the matter  
2 preceding the paragraphs and in paragraph (1)  
3 and inserting “the Chairperson”; and

4 (C) by striking “the Director” in para-  
5 graph (1) and inserting “the Board”.

6 (2) Section 159(b) of such Act (as redesignated  
7 in section 104(b)(3) of this Act) (42 U.S.C.  
8 12653h(b)) is amended by striking “(b)” and all  
9 that follows through “Director” and inserting “(b)  
10 MONITORING AND COORDINATION.—The Chair-  
11 person”.

12 (3) Section 159(c)(1) (as redesignated in sec-  
13 tion 104(b)(3) of this Act) (12653h(c)(1)) is amend-  
14 ed—

15 (A) in subparagraph (A), by striking “the  
16 Board, in consultation with the Executive Di-  
17 rector,” and inserting “the Chairperson”; and

18 (B) in subparagraph (B)(iii), by striking  
19 “the Board through the Executive Director”  
20 and inserting “the Chairperson”.

21 (4) Section 166 (as redesignated in section  
22 104(b)(3) of this Act) (42 U.S.C. 12653o) is amend-  
23 ed—

24 (A) by striking paragraph (6); and

1 (B) by redesignating paragraphs (7)  
2 through (11) as paragraphs (6) through (10),  
3 respectively.

4 (b) DIRECTOR OF CIVILIAN COMMUNITY CORPS.—  
5 Sections 155(a), 157(b)(1)(A), 158(a), 159(c)(1)(A), and  
6 163(a) (in each case, as redesignated in section 104(b)(3)  
7 of this Act) of the National and Community Service Act  
8 of 1990 (42 U.S.C. 12653d(a), 12653f(b)(1)(A),  
9 12653g(a), 12653h(c)(1)(A), and 12653l(a)) are amended  
10 by striking “Director of the Civilian Community Corps”  
11 each place the term appears and inserting “Director”.

12 **SEC. 406. EFFECTIVE DATE.**

13 (a) ACTION.—The amendments made by sections  
14 401 and 402 (except subsection (c)(2)) shall take effect  
15 on the effective date of section 203.

16 (b) COMMISSION.—The amendments made by section  
17 402(c)(2), and sections 403 through 405, will take effect  
18 on October 1, 1993.

19 **TITLE V—GENERAL PROVISIONS**

20 **SEC. 501. COMPLIANCE WITH BUY AMERICAN ACT.**

21 No funds appropriated pursuant to this Act (includ-  
22 ing the amendments made by this Act) may be expended  
23 by an entity unless the entity agrees that in expending  
24 the assistance the entity will comply with sections 2

1 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–  
2 10c, popularly known as the “Buy American Act”).

3 **SEC. 502. SENSE OF CONGRESS; REQUIREMENT REGARD-**  
4 **ING NOTICE.**

5 (a) PURCHASE OF AMERICAN-MADE EQUIPMENT  
6 AND PRODUCTS.—In the case of any equipment or prod-  
7 uct that may be authorized to be purchased with financial  
8 assistance provided under this Act (including the amend-  
9 ments made by this Act), it is the sense of the Congress  
10 that entities receiving such assistance should, in expending  
11 the assistance, purchase only American-made equipment  
12 and products.

13 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In  
14 providing financial assistance under this Act (including  
15 the amendments made by this Act), the Secretary of Edu-  
16 cation shall provide to each recipient of the assistance a  
17 notice describing the statement made in subsection (a) by  
18 the Congress.

19 **SEC. 503. PROHIBITION OF CONTRACTS WITH PERSONS**  
20 **FALSELY LABELING PRODUCTS AS MADE IN**  
21 **AMERICA.**

22 If it has been finally determined by a court or Federal  
23 agency that any person intentionally affixed a label bear-  
24 ing a “Made in America” inscription, or any inscription  
25 with the same meaning, to any product sold in or shipped



1 to the United States that is not made in the United  
2 States, the person shall be ineligible to receive any con-  
3 tract or subcontract made with funds appropriated to  
4 carry out this Act, pursuant to the debarment, suspension,  
5 and ineligibility procedures described in sections 9.400  
6 through 9.409 of title 48, Code of Federal Regulations.

7 **TITLE VI—LIMITATION ON LIABILITY OF**  
8 **VOLUNTEERS**

9 **SEC. 601. FINDINGS AND PURPOSE.**

10 (a) FINDINGS.—The Congress finds and declares  
11 that—

12 (1) within certain States, the willingness of vol-  
13 unteers to offer their services has been increasingly  
14 deterred by a perception that they thereby put per-  
15 sonal assets at risk in the event of liability actions  
16 against the organization they serve;

17 (2) as a result of this perception, many non-  
18 profit public and private organizations and govern-  
19 mental entities, including voluntary associations, so-  
20 cial service agencies, educational institutions, local  
21 governments, foundations, and other civic programs,  
22 have been adversely affected through the withdrawal  
23 of volunteers from boards of directors and service in  
24 other capacities;

1           (3) the contribution of these programs to their  
2       communities is thereby diminished, resulting in  
3       fewer and higher cost programs than would be ob-  
4       tainable if volunteers were participating;

5           (4) the efforts of nonprofit organizations, local  
6       government, States, and the Federal Government to  
7       promote voluntarism, and community and national  
8       service, are adversely affected by the withdrawal of  
9       volunteers from boards of directors and service in  
10      other capacities; and

11          (5) because Federal funds are expended on use-  
12      ful and cost-effective social service programs which  
13      depend heavily on volunteer participation, protection  
14      of voluntarism through clarification and limitation of  
15      the personal liability risks assumed by the volunteer  
16      in connection with such participation is an appro-  
17      priate subject for Federal encouragement of State  
18      reform.

19      (b) PURPOSE.—The purposes of this title are to pro-  
20      mote programs of community and national service, to pro-  
21      mote the interests of social service program beneficiaries  
22      and taxpayers, and to sustain the availability of programs  
23      and nonprofit organizations and governmental entities  
24      which depend on volunteer contributions, by encouraging  
25      reasonable reform of laws to provide protection from per-

1 sonal financial liability to volunteers serving with non-  
2 profit organizations and governmental entities for actions  
3 undertaken in good faith on behalf of such organizations.

4 **SEC. 602. NO PREEMPTION OF STATE TORT LAW.**

5 Nothing in this title shall be construed to preempt  
6 the laws of any State governing tort liability actions.

7 **SEC. 603. LIMITATION ON LIABILITY FOR VOLUNTEERS.**

8 (a) LIABILITY PROTECTION FOR VOLUNTEERS.—For  
9 purposes of satisfying the requirement specified in section  
10 129(a)(5) of the National and Community Service Act of  
11 1990, and except as provided in subsections (b), (c), and  
12 (d), a State shall provide by law that any volunteer of a  
13 nonprofit organization or governmental entity shall incur  
14 no personal financial liability for any tort claim alleging  
15 damage or injury from any act or omission of the volun-  
16 teer on behalf of the organization or entity if—

17 (1) such individual was acting in good faith and  
18 within the scope of such individual's official func-  
19 tions and duties with the organization or entity and  
20 such functions and duties are directly connected to  
21 the administration of a program described in section  
22 122(a); and

23 (2) such damage or injury was not caused by  
24 willful and wanton misconduct by such individual.

1       (b) CONCERNING RESPONSIBILITY OF VOLUNTEERS  
2 WITH RESPECT TO ORGANIZATIONS.—Nothing in this  
3 section shall be construed to affect any civil action brought  
4 by any nonprofit organization or any governmental entity  
5 against any volunteer of such organization or entity.

6       (c) NO EFFECT ON LIABILITY OF ORGANIZATION.—  
7 Nothing in this section shall be construed to affect the  
8 liability of any nonprofit organization or governmental en-  
9 tity with respect to injury caused to any person.

10       (d) EXCEPTIONS TO VOLUNTEER LIABILITY PRO-  
11 TECTION.—A State shall impose the following conditions  
12 on and exceptions to the granting of liability protection  
13 to any volunteer of an organization or entity required by  
14 subsection (a):

15           (1) The organization or entity must adhere to  
16 risk management procedures, including mandatory  
17 training of volunteers.

18           (2) The organization or entity shall be liable for  
19 the acts or omissions of its volunteers to the same  
20 extent as an employer is liable, under the laws of  
21 that State, for the acts or omissions of its em-  
22 ployees.

23           (3) The protection from liability does not apply  
24 if the volunteer was operating a motor vehicle or was

1 operating a vessel, aircraft, or other vehicle for  
2 which a pilot's license is required.

3 (4) The protection from liability does not apply  
4 in the case of a suit brought by an appropriate offi-  
5 cer of a State or local government to enforce a Fed-  
6 eral, State, or local law.

7 (5) The protection from liability shall apply  
8 only if the organization or entity provides a finan-  
9 cially secure source of recovery for individuals who  
10 suffer injury as a result of actions taken by a volun-  
11 teer on behalf of the organization or entity. A finan-  
12 cially secure source of recovery may be an insurance  
13 policy within specified limits, comparable coverage  
14 from a risk pooling mechanism, equivalent assets, or  
15 alternative arrangements that satisfy the State that  
16 the entity will be able to pay for losses up to a speci-  
17 fied amount. Separate standards for different types  
18 of liability exposure may be specified.

19 **SEC. 604. DEFINITIONS.**

20 For purposes of this title—

21 (1) the term “volunteer” means an individual  
22 performing services for a nonprofit organization or  
23 a governmental entity who does not receive com-  
24 pensation, or any other thing of value in lieu of com-  
25 pensation, for such services (other than reimburse-

(3) the term “damage or injury” includes physical, nonphysical, economic, and noneconomic damage; and

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HR 2010 PCS—2

HR 2010 PCS—3

HR 2010 PCS—4

HR 2010 PCS—5

HR 2010 PCS—6

HR 2010 PCS——7  
HR 2010 PCS——8  
HR 2010 PCS——9  
HR 2010 PCS——10  
HR 2010 PCS——11  
HR 2010 PCS——12  
HR 2010 PCS——13  
HR 2010 PCS——14  
HR 2010 PCS——15  
HR 2010 PCS——16  
HR 2010 PCS——17  
HR 2010 PCS——18  
HR 2010 PCS——19  
HR 2010 PCS——20  
HR 2010 PCS——21